

201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-3590 of 2023 (O&M)  
Decided on 03.02.2023.

Shankar

...Petitioner

Versus

State of Punjab and another

... Respondents

**CORAM:** *HON'BLE MR. JUSTICE VIKRAM AGGARWAL*

Present: Mr.Mukul Goyal, Advocate  
for the petitioner.

Mr. Arjun Sheoran, D.A.G., Punjab.

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**VIKRAM AGGARWAL, J.(Oral)**

Learned State counsel has handed over copy of the order dated 03.01.2023 passed by the Additional Sessions Judge, Bathinda, vide which bail application of the petitioner was dismissed. The same is taken on record.

Prayer in this petition is for the grant of regular bail in case FIR No.0205 dated 25.08.2022, under Section 306, 34 of the Indian Penal Code, 1860, registered at Police Station Canal Colony, District Bathinda.

One Usha Rani committed suicide on 24.08.2022. A complaint was submitted by her brother Ashwani Kumar alleging that the marriage of Usha Rani had been solemnized with Shankar about 09 years prior to the incident. Three children were born from the wedlock. Everything was fine till about one year prior to the incident when the petitioner-Shankar is alleged to have developed illicit relations with one Pooja. Despite Usha Rani having stopped Shankar a number of times, he did not end his relation with the said Pooja. Usha Rani also saw Shankar making a video-call to Pooja a month prior to the incident. It was alleged that both families had discussed the matter, but even the father-in-law Nandu and mother-in-law Soma did not intervene in the matter and instead tried to justify the actions

of their son Shankar. Fed up with the whole matter, Usha Rani ended her life. The petitioner-Shankar was arrested on 25.08.2022.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He states that there is no suicide note; the final report under Section 173 Cr.P.C., has been submitted; all other co-accused have been granted anticipatory bail; the trial is still take a sufficiently long time and therefore, no useful purpose will be served by keeping the petitioner in custody any further.

On the other hand learned counsel representing the State of Punjab has opposed the bail application stated that if the petitioner is released on bail, he shall try to influence and pressurize the witnesses.

No doubt, a young woman lost her life. She committed suicide allegedly being fed up of the illicit relation of her husband. Whether this was the reason or not may or may not come out. Whether the accused are guilty shall be determined when the trial concludes.

The petitioner is in custody for the last more than 05 months. Final report under Section 173 Cr.P.C., has already been submitted. The trial will take a sufficiently long time and, therefore, no useful purpose would be served by keeping the petitioner in custody any further.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner-Shankar, is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, Bathinda.

**03.02.2023**

*rekha sharma*

**( VIKRAM AGGARWAL )  
JUDGE**

*Whether speaking/reasoned : Yes/No.*  
*Whether reportable : Yes/No.*