

302

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 6386 of 2023
Date of decision:- 09.11.2023

SUPINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Kanwar Abhay Singh, Advocate for the petitioner.
Mr. Aditya Kapoor, AAG, Punjab

.....

SANJIV BERRY, J. (ORAL)

Reply filed by learned counsel for the State behalf of Deputy Superintendent Superintendent of Police (City-II), District SAS Nagar dated 09.11.2023 has been taken on record; copy thereof has been supplied to the counsel opposite.

2. The instant Second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
385	10.09.2022	306 & 120-B IPC	Sohana, District SAS Nagar

3. It is *inter alia* contended by the learned counsel for the

petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that only allegations against the petitioner as per the FIR is that he allegedly had some affair with the wife of deceased wayback in the year 2015. He submits that the petitioner was not in any manner involved in the instigation of suicide by the deceased. He submits that there is no suicide note of the deceased in the present case and the name of the petitioner has been mentioned by the complainant without any reason. The petitioner is in custody since 28.10.2022 and challan has already been presented in the Court, hence the present petition.

4. Learned State counsel referring to the reply aforesaid and also on instructions from SI Baljinder Singh had submitted that there is no suicide note in the case and the challan has already been presented against the petitioner who was arrested on 28.10.2022. It is pointed out that the other co-accused in the FIR are yet to be arrested.

5. Considering the respective submissions made by both the sides and also considering the facts and circumstances, admittedly, the petitioner is in custody since 28.10.2022 and challan against him has already been presented in the Court after conclusion of investigation. The other co-accused are yet to be arrested. The conclusion of trial would take sufficient long time and criminal liability, if any, would be ascertained after conclusion of trial.

6. Resultantly, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking

to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

09.11.2023

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No