

2023:PHHC:087381

**288 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-7160-2023

Date of Decision: 13.07.2023

KULWANT JANGRA

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vishal Munjal, Advocate, for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No.0148 dated 13.10.2022 under Sections 306 and 34 IPC registered at Police Station Dhanaula, District Barnala.

2. Custody certificate has been placed on record.

3. Learned counsel for the petitioner contends that the marriage of the deceased was solemnized with the petitioner about 15 years prior to the occurrence and the couple was blessed with a child. The custody of the minor child is with the mother of the petitioner. The deceased was residing in her parental house for a period of 06 months prior to the occurrence. There is nothing to indicate that the deceased or any member of her parental family had submitted any complaint at any forum prior to the period she left the matrimonial house. There are vague allegations in the suicide note. There is lack of material to indicate that there was any instigation on the part of the petitioner in close proximity with the time of occurrence which might have prompted the deceased to commit suicide. The petitioner is in custody for a period of 08 months and 27 days, his custodial interrogation is over and remanded to judicial custody. Furthermore, on completion of investigation, the challan has also been presented in the Court.

4. Learned State counsel, on instructions from ASI Nirmal Singh, submits that the investigation of the case is complete but the charge is yet to be framed.

5. Learned counsel for the complainant has opposed the bail application on the score that two days prior to the occurrence, the deceased had committed a complaint to SSP, Barnala.

6. It is significant to note that the deceased was residing in her parental house for a period of 06 months prior to the occurrence. The marriage took place about 15 years prior to the occurrence. It will be a debatable and moot point during the course of trial as to whether there was any proximity with regard to the alleged instigation and commission of suicide. The petitioner is in custody for a period of 08 months and 27 days. The investigation of the case is complete and challan has been presented. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

7. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

13.07.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No