

(208)

2023:PHHC:071590

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12507 of 2023

Date of Decision: May 17, 2023

Sabar alias Satwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lalit Singla, Advocate for the petitioner
Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C, petitioner prays for grant of regular bail in case FIR No.0037 dated 22.03.2022 registered under Section 302/120-B IPC at Police Station Moonak, District Sangrur.

Petitioner is brother-in-law (sala) of deceased Sunny. Marriage of deceased Sunny and Beena was performed in the year 2009 and two children were born out of this marriage. It is alleged that on the date of incident deceased had gone to the place of his in-laws where his wife Beena on the asking of her family members mixed some poisonous substance and made it to be consumed by the deceased on account of which he expired.

Learned counsel for the petitioner pointed out towards the Medical Report (Annexure P.6) revealing that the suspected poisonous substance was tablets of sulphas which was having pungent smell so, it is not possible that despite the deceased seeing the petitioner and others mixing the said substance will consume the same and that story appears to be quite unnatural.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent- State.

Custody certificate has been placed on record revealing the actual period of custody of the petitioner as 11 months and 21 days with no criminal antecedents.

Besides co-accused Sumandeep Kaur @ Suman had already been allowed bail vide order dated 16.01.2023 in CRM-M-59933 of 2022. Another co-accused Kela Devi @ Kela has been allowed bail vide order dated 13.02.2023 in CRM-M-6589 of 2023.

It is conceded by learned State Counsel that case of the petitioner is on same footing to that of co-accused Sumandeep Kaur @ Suman and Kela Devi @ Kela.

Keeping in view the aforesaid factual position and on the ground of parity, but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is admitted to bail on his furnishing personal bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

May 17, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No