

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-25315-2023 (O&M)

Date of decision: 08.08.2023

AMAR NATH RANDHAWA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Harchand Singh Batth, Advocate for the petitioner.

Mr. Hakam Singh, AAG Punjab.

Ms. Vibha, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

1. The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 98 dated 05.04.2023 registered under Section 306 IPC, at Police Station Sadar Amritsar, District Amritsar.
2. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that Ashwani Paul (since deceased) along with his family, was residing in the house of the petitioner; that the deceased was working at the shop of the petitioner during day time and in the evening, he was also working part-time in the adjoining house; that the petitioner was the employer and landlord of the deceased; that the petitioner has been in custody since 05.04.2023; that charges have been framed but out of 17 prosecution witnesses, none has been examined so far

and that there is nothing on record to show any kind of abetment on the part of the petitioner.

3. Learned State counsel, while vehemently opposing the prayer for bail, submits that though the deceased was working with the petitioner, yet he was being paid petty amount and the suicide note speaks volume against the petitioner and Ashwani Paul has committed suicide because of the act of the petitioner and does not dispute the custody period of the petitioner. He submits that the material prosecution witnesses are yet to be examined.
4. Learned counsel for the complainant submits that opening lines of the suicide note itself raised finger against the petitioner, moreover, the deceased was also asked by the petitioner to pay Rs.26,000/- pertaining to the electricity bill, which was not possible for the deceased as he was getting only Rs.6,000/- per month as salary from the petitioner. She points out that these acts of the petitioner forced the deceased to commit suicide and the suicide note is running into four pages.
5. I have heard the learned counsel for the parties and have also gone through the documents on record.
6. The petitioner has been in custody since 05.04.2023. It is not disputed that the deceased was an employee of the petitioner and getting only Rs.6,000/- per month and was residing along with his family in the house of the petitioner, which is a rented accommodation. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take a long time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

7. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

08.08.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No