

CRM-M-25660-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25660-2023

Date of decision: 31.07.2023

Karanveer Singh

...Petitioner

Versus

Sate of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S.Kamboj, Advocate,
for the petitioner.

Ms. Ankita Ahuja, AAG, Haryana.

Ms. Gurmeet Kaur, Advocate for
Mr. Rajesh Duhan, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks regular bail in case FIR No.491 dated 31.07.2021, registered at Police Station Indri, District Karnal, under Sections 306, 506 and 34 IPC.

2. As per the prosecution version, the petitioner had developed illicit relations with Seema (wife of Sukhwinder) and after being humiliated by the accused, Sukhwinder alongwith his two children had committed suicide.

3. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that there is no suicide note left by the deceased; that Sukhwinder(since deceased) himself left Seema at her parental home on 25.06.2021, but he allegedly committed suicide on 31.07.2021 i.e. after a period of more than one month. It is further

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submitted that the petitioner has been in custody since 10.08.2021, and that out of 20 prosecution witnesses, only 04 witnesses have been examined till date. It is further submitted that co-accused, namely, Seema has since been granted the concession of regular bail by a Coordinate Bench, vide order dated 27.02.2023 passed in CRM-M-38552-2022.

4. On the other hand, learned State counsel and learned counsel for the complainant, while opposing the grant of bail to the petitioner, submit that the petitioner had played an active role in the commission of the offence; that the petitioner had developed illicit relations with co-accused, Seema and that the petitioner and the co-accused had instigated the deceased to take the drastic step to end his life as well as the life of his children. It is further submitted that material witnesses are yet to be examined.

5. I have heard the learned counsel for the parties.

6. Indisputably, there is no suicide note left by the deceased. As stated above, it was Sukhwinder, who dropped off Seema at her parental home on 25.06.2021. However, he had committed suicide after a period of more than one month.

7. The petitioner has been in custody since 10.08.2021. As many as 16 prosecution witness are yet to be examined. Trial of the case would take time to conclude. As stated above, co-accused Seema has since been bailed out. Thus by applying the principle of parity, the petitioner is also entitled to be released on bail.

8. In view of the above, this Court finds that no useful purpose would be served by sending the petitioner to custody. Without commenting

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anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

31.07.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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