

CRM-M-26916-2023
Date of Decision: 31.05.2023

... PETITIONERS

... RESPONDENT

Ms. Ruchika Sabherwal, DAG Punjab.

* * *

3. Learned counsel for the petitioners contend that the petitioners No. 1 and 2 are the brother-in-law and husband respectively of Monika who was in adulterous relationship with the deceased. The marriage of Monika with petitioner No.2 is still subsisting. As per the allegations, on 10.02.2023, the parents of Monika, petitioners along with their parents took Monika from the house, where she was residing with the deceased. On 12.02.2023, the deceased had received a telephonic call from the mother of Monika and the deceased committed suicide on 15.02.2023. The deceased had not recorded any suicide note and there is nothing to indicate that on 10.02.2023, any positive act has been attributed to the petitioners which

might have prompted the deceased to commit suicide. The allegations pertaining to the telephonic talk on 12.02.2023 have not been attributed to the petitioners. Rani and Tarsem Singh, the parents of the petitioners have been granted pre-arrest bail in terms of the order dated 26.05.2023 by this Court vide CRM-M-12396-2023. The petitioner Nos.1 and 2 are in custody for a period of 2 months and 20 days and 3 months and 10 days respectively and not involved in any other case.

4. Learned State counsel has opposed the bail application on the score that there are serious allegations levelled against the petitioners and the charge is yet to be framed.

5. Be that as it may, the deceased had not recorded any suicide note. The allegations with regard to telephonic talk which took place with the deceased on 12.02.2023 have not been attributed against the petitioners. The only allegation against the petitioners is to the effect that they along with the co-accused had visited the house of the deceased to bring back the wife of petitioner No.2, who was in adulterous relationship with him. The investigation of the case qua the petitioners is complete and the challan has been presented against them. They are not involved in any other case. The conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioners in further custody.

6. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioners. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail subject to their furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief

Judicial Magistrate/Duty Magistrate.

7. The petition is allowed.

31.05.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No