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2023:PHHC:166354

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

**CRM-M-35245-2023
Date of decision : 17.08.2023**

Bhupinder Singh @ Bhinda**....Petitioner**

Vs.

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. L.M.Gulati, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has filed this second petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.14 dated 23.02.2022 registered under Section 306 of Indian Penal Code, 1860 (later on added Section 201 of IPC) at Police Station Mattewal, District Amritsar, first such petition bearing CRM-M-54499-2022 was dismissed vide order dated 27.01.2023.

The allegations as noticed by the Additional Sessions Judge, Amritsar in the order dated 23.09.2022 are as under:-

“The FIR was registered on the allegations that police party received telephonic call from the Guru Nank Dev Hospital, Amritsar that Saajan Singh son of Dharam Singh was admitted in hospital due to burn injuries. Said Saajan Singh made statement to the police that he is a labourer. He was married about 7 years ago and was

having two children. He also stated that Bhinda son of Kartar Singh used to call his wife repeatedly due to which he was feeling disgraced and he poured petrol on his body and alighted himself.”

Learned counsel for the petitioner contends that as per the allegations in the FIR, victim-Saajan Singh ended his life as accused/petitioner used to call his wife repeatedly, due to which he felt defamed and took extreme step of suicide. Learned counsel has argued that there was already dispute between deceased and his wife, namely, Rajni and the act of suicide by victim was a voluntary act on his part, therefore, the petitioner cannot be attributed any abetment. According to learned counsel for the petitioner investigation is complete and challan stands presented, charges have been framed and no prosecution witness has been examined till date, therefore, the trial will take sufficient long time to reach its conclusion. He prays that the petitioner be released on regular bail.

Custody certificate dated 16.08.2023 filed by the respondent-State is taken on record.

Learned counsel appearing on behalf of respondent-State, opposes the grant of regular bail to the petitioner on the ground that the petitioner has been specifically named in the FIR, therefore, he does not deserve the concession of regular bail and prays for dismissal of the petition.

I have heard learned counsel for the parties.

After hearing the learned counsel for the parties, this Court finds that the petitioner has been specifically named in the FIR and offences are serious in nature. Apart from it, considering the fact that the trial is yet to commence, and there is no change in the circumstances, this Court is not

inclined to extend the concession of regular bail to the petitioner at this stage.

Accordingly, the present bail petition is hereby dismissed.

(DEEPAK MANCHANDA)
JUDGE

17.08.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No