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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54835-2023

Date of Decision: 08.11.2023

Niranjan Singh @ Naranjan Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Arpinder Brar, Advocate for
Mr. Manbir Singh Basra, Advocate
for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.80 dated 16.09.2022, under Section 306 & 34 IPC, registered at Police Station Kahnuwan, District Gurdaspur.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for 1 year and 1 month and the suicide was committed by Kulwinder Singh and there were allegations of harassment by his in-laws and his wife. He further submitted that so far as the present petitioner is concerned, he is the father-in-law of the deceased and the main accused, namely, Harpreet Kaur, who is the wife of the deceased has already been extended the benefit of regular bail by this Court on 17.10.2023 vide Annexure P-3 especially on the ground that the essential ingredients of Sections 306 & 107 IPC have not been fulfilled on the face of it. He also

submitted that the wife of the petitioner, namely, Manjit Kaur has also been granted bail by a Co-ordinate Bench of this Court on 19.04.2023 vide Annexure P-2. He further submitted that even the complainant has not supported the prosecution version in the present case and considering the aforesaid circumstances of the present case including the custody and parity aspects, the petitioner may also be considered for grant of regular bail.

3. On the other hand, Mr. G.S.Sidhu, AAG, Punjab has not denied the aforesaid factual position in this regard.

4. I have heard the learned counsels for the parties.

5. The petitioner has already faced incarceration for 1 year and 1 month. The other co-accused i.e. the wife and the mother-in-law of the deceased have already been extended the benefit of regular bail. The allegations were with regard to harassment and the fulfillment of ingredients of Sections 306 and 107 IPC are yet to be seen at the time of trial. Therefore, this Court is of the view that the petitioner is also entitled for grant of regular bail on the ground of parity.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned, if not required in any other case.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition

08.11.2023

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned:

Yes/No

2. Whether reportable:

Yes/No