

HARSIMRANJIT SINGH **..PETITIONER**
VERSUS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Mr. P.B.S.Goraya, Advocate for the complainant.

VIVEK PURI,J. (ORAL)

1. Custody certificate of the petitioner has been circulated today and the same is taken on record.
2. Harsimranjit-petitioner is seeking regular bail in the case bearing FIR No.90 dated 22.05.2021, under Sections 306/34 IPC, 1860 (304-B deleted) registered at Police Station Dugri, District Ludhiana.
3. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the deceased on 21.07.2013 and two sons have been born from the wedlock. The deceased had committed suicide by hanging herself. The petitioner is in custody for a period of about 02 years, 02 months and 16 days and is involved in another case under Sections 406/498-A IPC.
4. The learned State counsel submits that the deceased had recorded suicide note, imputing allegations against the petitioner and other family members and as per the opinion of the hand writing expert, the hand writing on the suicide note has matched with the specimen writing of the deceased. Out of 20, only 04 witnesses including the complainant have been examined.

Learned counsel for the complainant submits that only formal

witnesses remain to be examined.

6. It is significant to note that the marriage of the deceased was solemnized with the petitioner more than 07 years prior to the occurrence. The cause of death is stated to be asphyxia due to hanging. Although, there are specific allegations in the suicide note but its authenticity and evidentiary value is to be adjudicated by the trial Court at the appropriate stage. The petitioner is in custody for a period of about 02 years, 02 months and 16 days The other case registered against him is also on account of marital dispute. Still 16 witnesses remain to be examined. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

7. Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. The petition is allowed accordingly.

11.08.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No