

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3813-2024
Date of Decision:31.01.2024

Ram Krishan ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr.Abhinav Singla, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 230 dated 24.06.2023, registered under Section 306 of IPC, Police Station City, District Hoshiarpur, Punjab.
2. The FIR in the present case was registered on the basis of the statement made by Ranjit Singh. As per the complainant, Amanpreet @ Sunny (since deceased) had performed love marriage with Loveneet Kaur, daughter of the petitioner about 04 years ago and a girl child namely Gairy was born out of the said wedlock. After one week of marriage, Loveneet Kaur started fighting with Amanpreet @ Sunny (deceased) and after 15/20 days of love marriage, the couple started living separately in the same house. As per the complainant, about 15/20 days prior to the incident, the petitioner and his other family members had beaten up Amanpreet @ Sunny (deceased) and had also prepared

a video in this regard and uploaded the same on the internet. As per the complainant, on 21.06.2023, Amanpreet @ Sunny (deceased) met the complainant and told that the petitioner and his other family members including Loveneet Kaur had beaten him and the video had been uploaded on the internet and he felt humiliated because of the same. Due to said humiliation, Amanpreet @ Sunny (deceased) had committed suicide on 24.06.2023.

3. Learned counsel for the petitioner contends that even from the allegations levelled by the complainant in the present case, no offence under Section 306 of IPC is made out against the present petitioner. Learned counsel further contends that neither the petitioner nor any other family member of the petitioner had instigated Amanpreet @ Sunny (since deceased) to commit suicide. In fact, Amanpreet @ Sunny (deceased) was an addict of drugs and was having an extra-marital affair. Still further, Amanpreet @ Sunny (since deceased) had committed suicide after about one month of uploading of the video and it can never be stated that the uploading of the video was the proximate cause of committing of suicide by him. Learned counsel further submits that the petitioner was arrested in the present case on 24.06.2023 and the final report under Section 173 Cr.P.C has already been presented against the petitioner.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner was actively involved in the commission of crime and the petitioner does not deserve the concession of bail.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 24.06.2023 and the investigation in the present case has already been completed and the final report under Section 173 Cr. PC has been presented before the competent Court. Thus, further custody of the petitioner will serve no meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

31.01.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No