



Sr. No.212

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

CRM-M-31924-2024
Date of decision: 29th August 2024

SURJIT SINGH ALIAS RAJAPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Hitesh Chopra, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab,
assisted by ASI Rakesh Kumar.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner in case bearing FIR No.68 dated 20.05.2023, under Sections 306, 201 IPC, 1860, registered at Police Station Ghuman, District Gurdaspur (Annexure P-1).
2. Learned counsel for the petitioner *inter alia* contends that the petitioner is in custody since 29.04.2024. He has been falsely implicated in this case. The petitioner is the neighbour of the husband of the deceased-victim. The only allegation against the petitioner is that he was present at the spot along with other persons and he did not permit the complainant to see the dead body of the deceased-victim. The petitioner is neither related to the husband of the victim nor to the family of the victim. He has no role to play in the present case.
3. Notice of motion.



4. Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of the respondent-State of Punjab. She has opposed the present petition on the ground of gravity of allegations levelled against the petitioner.

4.1 Learned State counsel filed status report dated 28.08.2024, by way of affidavit of Sh. Harkrishan Singh, PPS, Deputy Superintendent of Police, Sub-Division Sri Hargobindpur, Police District Batala as well as custody certificate of the petitioner dated 27.08.2024, reflecting his period of custody as 03 months and 29 days, which are taken on record.

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

6. As per the prosecution version, the FIR was registered at the instance of mother of the deceased with the allegations that on 20.05.2023 at about 01:00/02:00 AM in the midnight, she received a call from her son-in-law Prem Singh that her daughter had died due to heart attack. The complainant along with her other relatives reached at village Khujala at about 07:00 AM, where the petitioner, along with other relatives, was present and he did not allow the complainant to see the face of her daughter and proclaimed that she had died due to heart attack. However, when the body was given bath, the complainant noticed strangulation marks on the neck of her daughter and clicked photographs, which are part of the paper book. Apprehending that the deceased had died due to strangulation, the matter was reported to the Police on the same day i.e. 20.05.2023.

7. Though the petitioner is named in the FIR, however, the allegations levelled against him are a matter of trial. As per the status report, challan/final report under Section 173 Cr.P.C. was prepared and submitted before the trial Court on 23.07.2024. The case was committed to the Court of Sessions on 23.08.2024.



is likely to take some time. No useful purpose would be served by keeping the petitioner in custody during trial, as such, without expressing anything on the merits of the case and keeping in view the above facts, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

9. Pending miscellaneous application(s), if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

29th August 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No