

Date of decision:02.02.2024

Deepak Kumar ...Petitioner

State of Punjab ...Respondent

Loveneet Kaur @ Loveleen Kaur ...Petitioner

State of Punjab ...Respondent

Present : Mr. R.P.Dhir, Advocate
for the petitioner in CRM-M-42565-2023.

Mr. Abhinav Singla, Advocate
for the petitioner in CRM-M-51165-2023.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J.

1. This order shall dispose of above-said two petitions i.e. CRM-M-42565-2023 titled as Deepak Kumar Vs. State of Punjab and CRM-M-51165-2023, titled as Loveneet Kaur @ Loveleen Kaur Vs. State of Punjab, whereby the petitioners have prayed for grant of bail to them in case FIR No. 230 dated 24.06.2023 registered under Section 306 of IPC, at Police Station City, District Hoshiarpur.

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, the present

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, Ram Krishan 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 Ram Krishan and his other family members including present petitioner-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 petitioners contend that even from the averments made by the complainant in the FIR, no offence under Section 306 of IPC is made out against both the petitioners. Learned counsel further contend that the petitioners had not instigated Amanpreet @ Sunny (since deceased) to commit suicide. Learned counsel further submit that both the petitioners have undergone more than 7 months of custody and the final report under Section 173 Cr.P.C has already been presented before the Court. Still further, Ram Krishan, against whom similarly allegations have been levelled, has already been granted the concession of regular bail by this Court, vide order dated 31.01.2024, passed in CRM-M-3813-2024.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioners on the ground that the

petitioners were actively involved in the commission of crime and the petitioners do not deserve the concession of bail.

5. I have heard learned counsel for the parties and perused the record.
6. In the present case, both the petitioners have undergone more than 7 months of custody and after completion of the investigation, the challan has already been presented against both the petitioners. Even almost similarly placed co-accused Ram Krishan has already been granted the concession of regular bail by this Court, vide order dated 31.01.2024.
7. Without commenting on the merits of the case, the both the petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

02.02.2024
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(N.S.SHEKHAWAT)
JUDGE

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