



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

CRM-M-7305-2024 (O&M)

Date of Decision:-10.02.2025

Swaran Singh @ Sunny

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Armaan Gagneja, Advocate for the petitioner.

Mr. P.S. Bhandari, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a first petition filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.66 dated 17.05.2023 under Sections 306/34 of IPC, registered at Police Station Kabarwala, District Sri Muktsar Sahib..
2. Mr. Armaan Gagneja, Advocate, has caused appearance on behalf of the petitioner and has filed his Power of Attorney, which is taken on record. He submitted that he has been freshly engaged on behalf of the petitioner.
3. Learned counsel appearing on behalf of the petitioner submitted that it is a case where the petitioner is in custody for 1 year, 8 months and 18 days. The allegation against the petitioner is that at his instance, his wife committed suicide because he was allegedly having an illicit relationship with another woman. He further submitted that the basic ingredients of Section 306 of the IPC have not been fulfilled because there is no allegation of direct



instigation, due to which the deceased, if at all, committed suicide. He also submitted that the ingredients of Section 306 read with Section 107 of the IPC have not been fulfilled and considering the aforesaid custody of the petitioner, he may be considered for the grant of regular bail. Additionally, the complainant has already been examined by the learned Trial Court

4. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and the complainant has since been examined. He further submitted that the allegations against the petitioner were that he was having illicit relations with another girl and this was the reason which amounted to abetment to commit suicide by his wife. Therefore, he is not entitled for the grant of regular bail

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

6. It is a case where the petitioner has been in custody for about 1 year, 8 months and 18 days. As per the allegations, the petitioner was having illicit relations with another girl and therefore his wife committed suicide. The complainant has already been examined in the present case. It is yet to be seen, at the time of the trial, whether the basic ingredients of Section 306 read with Section 107 of the IPC are fulfilled or not. Furthermore, it is neither the case of the learned State counsel nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses, or tamper with evidence. Therefore, considering the aforesaid facts and circumstances of the present case, this Court is of the view that, in light of the long custody of the petitioner, he deserves the concession of regular bail.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to



furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

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

(JASGURPREET SINGH PURI)
JUDGE

10.02.2025

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