

Harpreet Singh @ Gori vs State Of Punjab on 28 February, 2022

Author: Karamjit Singh

Bench: Karamjit Singh

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7788-2022
Date of Decision:-28.2.2022

HARPREET SINGH @ GORI		... Petitioner
	Versus	
STATE OF PUNJAB		... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of COVID-19 Pandemic.

Prayer is for grant of regular bail in case having FIR No.60 dated 12.8.2021 registered under Section 306 IPC at Police Station Ajitwal, District Moga.

Notice of motion.

On the asking of the Court, Mr. A.K. Kaundal, DAG, Punjab who was having advance copy of the petition accepts notice on behalf of State of Punjab.

The counsel for the petitioner contended that the petitioner is not responsible for the death of Jasbir Singh, who was husband of his sister Sukhdeep Kaur. That Jasbir Singh committed suicide of his own. The 1 of 3 (2) CRM-M-7788-2022 counsel further contended that petitioner is in custody since 12.8.2021 and it will take time for conclusion of the trial as the trial is yet to begin. The counsel for the petitioner made prayer that petitioner is entitled to grant of regular bail.

The instant petition is contested by the State counsel, who submitted that Sukhdeep Kaur was having strained relations with the deceased. He further contended that due to the same reason, the

deceased was persistently harassed by his in-laws, including the petitioner, as has been specifically alleged in the FIR. That even prior to the occurrence in question, the deceased was put in fear that all the accused persons including the petitioner were coming to his house to teach him a lesson and due to the same reason the petitioner ended his life by committing suicide.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

FIR in the present case was registered against Sukhdeep Kaur, her sister Kamaljeet Kaur, Bal Bahadur Singh husband of Kamaljeet Kaur, petitioner Harpreet Singh and his brother Gurjant Singh with allegations that all of them incited and abetted Jasbir Singh husband of Sukhdeep Kaur to commit suicide, as a result of which Jasbir Singh committed suicide on 11.8.2021 by consuming some poisonous medicine. As per the State counsel the deceased had not left behind any suicide note. Admittedly the petitioner was brother-in-law of the deceased being brother of his wife Sukhdeep Kaur who is also in custody. The petitioner as per the State counsel is in custody since 12.8.2021. The investigation in this case has been completed but the trial is yet to commence. Kamaljeet Kaur sister of the petitioner, against 2 of 3 (3) CRM-M-7788-2022 whom there are similar allegations, has already been granted ad interim bail by the Co-ordinate Bench of this Court vide order dated 7.1.2022 (Annexure P-2). In the said order, it has been mentioned that Sukhdeep Kaur wife of the deceased Jasbir Singh lodged complaint regarding domestic violence against her husband on 10.8.2021, meaning thereby there was matrimonial discord between husband and wife. Co-accused Bal Bahadur against whom there are allegations that he was having illicit relations with Sukhdeep Kaur has already been granted regular bail by the Court of Additional Sessions Judge, Moga vide order dated 27.1.2022 (Annexure P-1).

In view facts and circumstances mentioned above, no useful purpose would be served by keeping the petitioner behind the bars for any longer period. Thus without adverting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned, during the pendency of the trial, subject to the following conditions:-

1. That the petitioner will not directly or indirectly induce, threat or promise to any prosecution witness.
2. Petitioner shall not leave the country without prior permission of the trial Court.
3. Petitioner shall appear in the trial Court on each and every date of hearing.

28.2.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No

