

Sukhsagar Vs. State of Punjab

Present: Sh. K.S. Batth Advocate, counsel for the
applicant/accused.
Sh. B.S. Deol Addl. PP for the State.

Heard on bail application. The contention of the accused / applicant is that accused/ applicant is innocent person. He is falsely implicated in the present case. No case is made out against accused/ applicant. Custodial interrogation is not required.

2. Perusal of file shows that FIR No.273 dated 04.11.2020 was registered under Section 306/34 IPC at P.S. Sardulgarh on the statement of complainant Babli, in which, she alleged that they are four sisters and two brothers. His brother Manga Ram was married with Kamlesh Rani and are residing at village Ahlupur. On 04.11.2020 at about 10.30 AM, her husband received phone call from his brother Manga Ram that Kamlesh Rani and his son Sukhsagar are beating him. His brother committed suicide by hanging himself with ceiling fan due to harassment caused by Kamlesh Rani and Sukhsagar.

As per prosecution, no conversation took place on the mobile number disclosed by the complainant and no allegation with regard to the demand of amount has been found during investigation till date. Keeping in view above facts and circumstances, the commission of offence u/s 306 IPC is debatable. No recovery is to be effected from applicant/accused. Under such circumstances, accused / applicant is directed to appear before the investigating officer within 3 days and on

doing so, she shall be released on interim bail to the satisfaction of the investigating officer concerned subject to the following conditions:-

- i) applicant shall make himself available for investigation by a police officer as and when required.
- ii) applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the accusations against him so as to dissuade from disclosing such facts to the court or to any police officer.
- iii) applicant shall not leave India without the previous permission of the court.

Report be awaited for 02.12.2020.

Announced.

(Daljit Singh Ralhan)
ASJ, Mansa/PB0198

Date of Order: 25.11.2020
(Avinash)