

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-10003 of 2015 (O&M)
DATE OF DECISION : 10.4.2015

Ram Gopal alias Pal

PETITIONER

VERSUS

State of Punjab

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri S.K.Garg Narwana, Senior Advocate with Shri Karan Garg,
Advocate for the petitioner.

Shri Deepak Garg, A.A.G. Punjab.

MAHESH GROVER, J.

This is a petition under Section 438 Cr.P.C. praying for release of the petitioner on bail in the event of his arrest in case F.I.R. No.18 dated 22.2.2015 registered under Section 306 I.P.C. at Police Station Lehra, District Sangrur.

The F.I.R. has been registered on the statement of one Vikas Gupta son of Parveen Kumar alleging that Surinder Mohan his uncle committed suicide as also did Rajinder Kumar, the brother of Surinder Mohan on an earlier occasion.

The allegations have been made that the deceased was being harassed by Mukhtiar Singh son of Puran Singh, Inspector PSWC, Lehra, Ram Gopal son of Ruldu Ram, his brother Happy, Bobby, Parveen Kumari wife of Rakesh Kumar (petitioner), Preet Mohinder Singh son of Harnek Singh and his two sons.

The petitioner is one of the shareholders in Mahadev Rice Mills to the extent of 30% along with other partners whose details are as follows :-

(a) Preet Mohinder Singh of the first part	20%
(b) Ram Gopal of the second part	10%
(c) Parveen Kumar of the third part	30%
(d) Rajinder Kumar of the fourth part	14%
(e) Rita Rani of the fifth part	13%
(f) Asha Rani of the sixth part	13%

The deceased left behind as many as eight suicide notes alleging that earlier his brother had been harassed to death and similarly he is also being harassed by Preet Mohinder Singh and his two sons who had given him beatings. Allegations have also been made that the petitioner along with other persons named were threatening him to settle the issues and to take back his complaint regarding the death of his brother.

Learned counsel for the petitioner contends that the petitioner is the share-holder only to the extent of 10% and the dispute essentially centres around the affairs of the rice sheller. It is also contended by him that if the suicide notes are read cumulatively, the role is attributed to Preet Mohinder Singh, his two sons and one Mukhtiar Singh, whereas the petitioner has been merely mentioned in the passing ostensibly for the reason that he is a partner in the firm.

It is also contended by the learned counsel for the petitioner that in the complaint filed by the deceased on earlier occasion pertaining to the death of

his brother all the allegations of threats etc. were directed against Preet Mohinder Singh, his two sons and one Mukhtiar Singh, but not against the petitioner.

On due consideration of the matter, I am of the opinion that the petitioner is concededly a partner in a firm where the accounts were in question. Whether he was an active participant in the harassment meted out to the deceased or not, would certainly be a question of investigation particularly when eight suicide notes have been left by the deceased including some which do not mention the name of the petitioner at all.

Consequently, I direct the release of the petitioner on bail in the event of his arrest subject to the following conditions :-

- (i) He will make himself available for investigation as and when required to do so.
- (ii) He will not leave the country without the prior permission of the Court.
- (iii) He will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police official.

Petition stands allowed.

April 10, 2015
GD

(MAHESH GROVER)
JUDGE