

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

CRM-M No.1612 of 2015(O&M)

Date of Decision :23.01.2015

Arun Jain

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mrs.Baljit Mann, Advocate for the petitioner.
Mr.R.S.Randhawa, Addl.AG, Punjab.
Mr.Tejvir Singh, Advocate for the complainant.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail filed in case bearing FIR No. 124 dated 21.10.2014, under Sections 306/34 IPC, registered at Police Station Badhni Kalan, Distt. Moga.

The allegation is that the petitioner and one other person had entered into a partnership with the son of the complainant. The partnership ran into losses and at one stage it was decided that their partners will liquidate the debt as per their share in the partnership. However, the petitioner and the other partner were avoiding to pay amount and that drove the son of the complainant to suicide.

Learned counsel for the petitioner has argued that this fact is not enough to prove the abetment of suicide.

Learned counsel for the complainant and learned Addl.AG have pointed out that the deceased had left behind a suicide note in which he had blamed the petitioner and the aforesaid other person, therefore, the petitioner is guilty of abetment of suicide.

In my considered opinion the arguments of both sides of learned counsel are too extreme. At this stage it cannot be said that the petitioner and other co-accused are not guilty but on the other hand it can also not be said that they are positively guilty.

In these circumstances I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Let the petitioner appear before the investigating officer on 30.01.2015 between 10.00 a.m. to 4.00 p.m. and on any other date on which his appearance is so required by the investigating officer. On his appearance the investigating officer shall release him on anticipatory bail to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

January 23, 2015
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