

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision:28.5.2015

CRM-M-16591-2015

JARNAIL SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CRM-M-13520-2015

BHIM

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Sidakmeet Singh Sandhu, Advocate
for the petitioner in CRM-M No.16591 of 2015

Mr.H.S.Deol, Advocate,
for the petitioner in CRM-M No. 13520 of 2015

Mr.Varun Sharma, AAG, Punjab

1. ***Whether Reporters of local papers 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?***

RAJ MOHAN SINGH, J.

This order will dispose of above mentioned two petitions. CRM-M No.16591 of 2015 has been filed for grant of

regular bail and CRM-M No. 13520 of 2015 has been filed for grant of anticipatory bail.

Facts are being culled out from CRM-M No. 16591 of 2015. FIR No. 17 dated 18.1.2015 was registered under Section 306 IPC at Police Station City-I Abohar District Fazilka at the instance of Neelam Rani. According to her, her elder son Karan was living in depression for the last many days. She along with her husband Dina Nath inquired from him about his depression, then he told that an amount of ₹ 2,000/- was taken by him from Jarnail Singh @ Jelly Pahalwan and Bhandari Financer, who are having their office under the bridge. These persons have illegally added escalated interest, thereby making total amount to the tune of ₹ 8,000/-. It was told to the complainant that her son had already returned the loan amount but still they have snatched his motorcycle and now threats are being given through Bhim Badmash. The complainant assured him that they will convene meeting of respectable persons and will solve the matter. On 18.1.2015, son of the complainant was alone in the house and at about 4.00 P.M, younger son of the complainant saw that door of his room was closed. On opening, it was seen that dead body of Karan was hanging with the ceiling fan. On raising alarm, husband of the complainant and persons from neighbourhood attracted to the spot. It has been alleged that Karan committed suicide on account of harassment given by

Jarnail Singh, Bhandari Financers and Bhim Badmash.

Learned counsel for the petitioner states that in respect of alleged snatching of motorcycle, no complaint whatsoever was got registered by the deceased with the police station. Secondly, despite alleged recovery of suicide note from the pocket of the deceased on that very day, there is no reference of the same in the FIR. Thirdly, there was no writing of any loan transaction having been entered in advance to the deceased by the petitioner. Fourthly, the alleged suicide note is yet to be compared in terms of matching configuration with admitted writing of the deceased. Lastly, it has been submitted by learned counsel for the petitioner that ingredients of offence under Section 306 IPC are not attracted inasmuch as that there is no concerted effort on behalf of the petitioner to compel the deceased to commit suicide.

Learned State counsel, on instructions from ASI Gurdeep Singh, however, opposed the bail application. Learned State counsel states that challan qua petitioner Jarnail Singh has been filed and the complicity of the petitioner is proved vis-a-vis his name specifically given in the suicide note. He further submits that call details of the mobile phone between deceased, Bhim and the petitioner are yet to be verified and necessary information is still to be obtained.

Be that as it may, without embarking upon merits of

the case at this stage, it would be just and appropriate to grant regular bail to Jarnail Singh and interim anticipatory bail already granted to Bhim Singh is required to be confirmed.

In view of aforesaid, both the petitions are allowed. Petitioner Jarnail Singh is ordered to be released on regular bail, subject to furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/ Illaqa Magistrate, Abohar.

Petitioner Bhim is directed to join investigation as and when called upon to do so. He shall keep on joining investigation in future.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 28, 2015

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(RAJ MOHAN SINGH)
JUDGE