

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.18944 of 2015

Date of Decision:-18.08.2015

Raj Bala &Ors.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jitender Dhanda, Advocate for the Petitioners.

Mr. R.K. Doon, AAG Haryana.

Mr. Ashish Chaudhary, Advocate for the complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners-Raj Bala, Sonu and Inder Singh in case FIR No.32 dated 22.04.2015 under Sections 306 and 34 of Indian Penal Code registered with Police Station Rohtak.

The complainant Rajesh Kumar is the son of deceased Jai Parkash. Petitioner no.1 Raj Bala is the *Chachi* (Aunt) of the complainant Rajesh Kumar and petitioner no.2 Sonu is the cousin of complainant Rajesh Kumar. Petitioner no.3 Inder Singh is the brother of petitioner no.1-Raj Bala. The deceased admittedly retired from the rank of ASI, Haryana Police and was of 66 years at the time of committing suicide.

This Court while granting interim protection to the petitioners

noticed the following contentions:-

“ *Learned Counsel for the petitioners inter alia submits that as per allegations complainant and accused party were co-sharer in a joint plot in village Dumarkha and there was not partition effected between them. The alleged construction of boundary wall by the father of the complainant cannot be held to be exclusive construction at his instance. The allegations are that deceased Jai Parkash went to village when the boundary wall was demolished by accused side and there Rajbala insulted him. Jai Parkash came back to Rohtak and after about one month he committed suicide by jumping before a running train. A suicide note has also been recovered which according to learned Counsel is an unsigned suicide notice. Ingredients of offence under Section 306 IPC are missing altogether, nor there was any concerted efforts on the part of petitioner to abet the offences.* ”

After hearing learned Counsel for the petitioners and the fact that the petitioners have joined investigation and are no longer required for custodial interrogation, as stated by learned State Counsel on instructions from ASI Satish Kumar.

In view of the above, interim protection/bail granted vide order dated 03.06.2015 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

August 18, 2015
Vinay