

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-28533-2015 (O&M)

Date of decision: 28.08.2015

Depu @ Rajdeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Dhirinder Chopra, Advocate for the petitioner.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 438 Cr.P.C. is for the grant of pre-arrest bail to petitioner in FIR No. 44 dated 29.04.2015 registered under Sections 306/120-B/506 of the Indian Penal Code (IPC) at Police Station Badhni Kalan, District Moga.

The FIR was lodged by the father of deceased. The girl (deceased) was the prosecutrix in FIR No. 28 dated 22.04.2014, under Sections 376/506/120-B IPC, Police Station Badhni Kalan, District Moga and she appeared for the prosecution as PW-1 in the trial Court first on 11.03.2015 and then on 21.04.2015. Her statement in chief Annexure P-2 was recorded by the trial Court on 11.03.2015. It was stated by the complainant in the FIR that on 21.04.2015, he along with his wife, namely; Shinder Kaur along with prosecutrix were coming out of the Court that accused persons in the said case including the petitioner,

threatened them to cause loss to their person and property. The girl because of fear of the threats committed suicide on 28.04.2015.

I have heard learned counsel for the petitioner at considerable length and perused the paper-book.

Learned counsel for the petitioner submits that even if the facts as stated in the FIR are accepted, ingredients of Section 306 IPC would not be attracted. The petitioner is specifically named in the FIR and the above contentions were also considered in CRM-M-17464-2014 on the prayer made by co-accused, namely; Harbans Singh, which was dismissed by this Court on 30.06.2015.

In view of the above, there is no ground to take a different view. In fact as per the prosecution story, the girl who appeared as PW-1 in the FIR for the offence of rape and her cross-examination was yet to be completed, ended her life in such a way which would make the version quite serious and sensational.

No merit in the instant petition. Dismissed.

August 28, 2015
rishu

(R.P. NAGRATH)
JUDGE