

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. M No.30764 of 2015

Date of Decision: 18.09.2015

Bhagwan Dass and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.V.K.Jindal, Senior Advocate with
Mr.Abhinav Oberoi, Advocate for the petitioners
Mr.R.P.S.Sidhu, Assistant Advocate General, Punjab
Mr.Navin Saini, Advocate for the complainant

SABINA, J.

Petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No. 34 dated 1.3.2015 under Sections 306, 506 and 34 of the Indian Penal Code, 1860 ('IPC' for short) registered at Police Station City Rajpura, District Patiala (Annexure P1).

Prosecution story, in brief, is that complainant-Indu Bala was working as a teacher in a private School. Her husband Virender Kumar was running the business of photography in the name and style of Vinni Digital Studio, Near Druga Mandir Rajpura Town. About four years back, her husband had been attacked by some persons but no action was taken against the said persons by the Police.

Whenever the husband of the complainant tried to open his shop,

petitioners and their co-accused threatened the complainant. Due to this reason, the husband of the complainant went in depression and had committed suicide.

Learned counsel for the petitioners has submitted that the complainant was habitual of making false complaints and petitioners could not be attributed abetment of suicide committed by the deceased.

Learned State counsel, who is assisted by the counsel for the complainant, on the other hand, has opposed the petition. Learned State counsel has submitted that in a criminal complaint filed by the deceased, petitioners and their co-accused had been summoned by the trial Court to face the trial under Sections 452, 323, 506/34 IPC vide order dated 3.4.2013. Petitioners are required for custodial interrogation.

In the present case, the allegations levelled against the petitioners are that they were threatening the deceased from running his business in the shop in question. As a result of this, Virender Kumar had committed suicide. Petitioners are required for custodial interrogation.

Keeping in view the seriousness of the allegations levelled against the petitioners, no ground for grant of anticipatory bail to the petitioners is made out.

Dismissed.

**(SABINA)
JUDGE**

September 18,2015
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