

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

(1) **Criminal Misc. No. M-33075 of 2014**
Date of Decision: 03.08.2015

Amandeep Singh
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

(2) **Criminal Misc. No. M-33513 of 2014**

Saroj Rani & another
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

(3) **Criminal Misc. No. M-33693 of 2014**

Vishal
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

(4) **Criminal Misc. No. M-34916 of 2014**

Om Parkash
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

(5) **Criminal Misc. No. M-35122 of 2014**

Ram Singh
Versus
State of Punjab
...Petitioner(s)
...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Parminder Singh, Advocate
in CRM-M-33075 & 33693 of 2014
Mr. Samir Sachdeva, Advocate in CRM-M-33513-2014
Mr. A.P. Kaushal, Advocate
in CRM-M-34916 & 34916 of 2014
Mr. Harbhajan Singh, Advocate in CRM-M-35122-2014
for the petitioner(s).

Mr. Gurinderjit Singh, DAG, Punjab.
Mr. C.S. Bakhshi, Advocate for the complainant.

HARI PAL VERMA J.(Oral)

This order shall dispose of five petitions i.e. CRM-M-33075, 33513, 33693, 34916 and 35122 of 2014 filed under Section 438 CrPC for grant of anticipatory bail, as the same have arisen out of FIR No.155 dated 28.8.2014 under Sections 306/34 IPC registered at Police Station City Sri Muktsar Sahib, District Muktsar Sahib. However, the facts are being taken from CRM-M-33075 of 2014.

This Court vide order dated 24.9.2014, has passed the following order:-

“Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Sandeep Kaur alleging that her father Baljit Singh had committed suicide in a room of hotel at Muktsar and left an affidavit in the shape of suicide note alleging that on account of harassment and litigation with the petitioner he had

committed suicide.

Counsel for the petitioner submits that as a matter of fact in a litigation with the petitioner, the deceased had admitted his liability to re-pay the amount. Copy of the order of Lok Adalat has been placed on record as annexure P-1.

Notice of motion for November 21, 2014.

Meanwhile, an interim direction is issued that the petitioner will join investigation on October 4, 2014, and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer."

Learned counsel for the petitioner submits that pursuant to order dated 24.9.2014 of this Court, the petitioner has joined investigation and the custodial interrogation of the petitioner is not required at this stage.

Learned State counsel has also produced a copy of the Forensic Science Laboratory, Punjab, Phase-IV, SAS Nagar dated 11.6.2015, which is taken on record. The result of examination is reproduced as under:-

"RESULT OF EXAMINATION

I have carefully and thoroughly examined the red enclosed questioned signature stamped and marked Q1 and have compared them with the relevant standard signatures from the original documents in all aspects of hand-writing identification and detection of forgery with the help of Scientific aids it has been concluded that:-

1. The person who wrote the red enclosed

standard signatures stamped and marked A1 to A9 did not write the red enclosed questioned signature similarly stamped and marked Q1.”

However, learned counsel appearing on behalf of the complainant submits that the comparison, as made by the Forensic Science Laboratory cannot be accepted, for the reason that signatures of the deceased made by him in some other case under Section 161 CrPC have been compared.

The report, as received from the Forensic Science Laboratory, has been placed on record, which suggests that the signatures of the deceased, as mentioned in the suicide note which is in the form of an affidavit, have been compared with his signatures made in his statement under Section 161 CrPC in some other case. The comparison shows that the signatures of the deceased on the suicide note/affidavit do not tally with his signatures made in his statement under Section 161 CrPC. Therefore, I deem it appropriate to allow the present petition.

Accordingly, the present petition is allowed and the interim order dated 24.9.2014 passed by this Court is made absolute. However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions as laid down under Section 438(2) CrPC.

However, it is made clear that merely because the

petitioners have been admitted to anticipatory bail, the trial Court shall not be influenced by the order passed by this Court and shall decide the case on the basis of the material available before it.

A photocopy of this order be placed on the files of other connected cases.

August 03, 2015
AK

(HARI PAL VERMA)
JUDGE