

CRM-M-5408-2015

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

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Date of Decision:03.03.2015

Jarnail Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the 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 ?

Present: Mr.Arvind Singh, Advocate,
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. R.S.Budhwar, Advocate,
for the complainant.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.18 dated 27.01.2015, registered under Section 365 IPC, Section 306/506/34 IPC IPC (added later on) (however wrongly typed as Section 309 IPC in the petition), at Police Station Sadhaura, District Yamuna Nagar.

I have heard learned counsel for the parties and perused the record.

Learned counsel for the petitioner has vehemently contended

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that the petitioner is not involved in the present case and there is no evidence against him. Learned counsel has further contended that earlier also, there were cases registered against the petitioner, but he was granted bail by the competent court. In the earlier FIRs, neither the deceased nor his uncle were complainant. In the present case, the petitioner has been falsely implicated. In fact, deceased-Chetan Saini died for various reasons including removal from service and his failure to get any relief from the court of law. The body of deceased was found on the railway track and proceedings under Section 174 Cr.P.C. were completed one day prior to the registration of FIR.

Per contra, learned State counsel and learned counsel for the complainant have vehemently opposed the contentions of learned counsel for petitioner and contended that there are categorical statements of the witnesses recorded under Section 164 Cr.P.C with regard to the involvement of the petitioner in the present case. In the alleged suicide note left behind by deceased-Chetan Saini, names of the petitioner and three other persons specifically figure. It is also specifically mentioned in the alleged suicide note that he committed suicide because of threats given by the petitioner and others.

I have considered the rival contentions of learned counsel for the parties.

Admittedly, name of the petitioner finds mentioned in the alleged suicide note. There are also specific allegations against the petitioner in the statements of witnesses recorded under Section 164

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Cr.P.C. In these circumstances, custodial interrogation of the petitioner is required, therefore, no ground for grant of anticipatory bail is made out.

Dismissed.

Nothing observed herein shall amount to an observation on the merits of the case.

03.03.2015
parveen kumar

(Paramjeet Singh)
Judge