

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

**Criminal Misc. No. M-17019 of 2016
Date of decision: 17.05.2016**

Gurjant Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. S.S. Rangi, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.17 dated 06.03.2016 registered under Sections 306, 498-A read with Section 34 of Indian Penal Code at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas he was not involved in any manner. The petitioner has lost his two sons, one son-in-law and nephew in an accident in the year 2003. The deceased Roop Kaur was married with son of the petitioner, who died in the year 2003. There was no injury mark on the person of the deceased. Even the cause of death has not been ascertained by the doctor as no

report has been received so far. The alleged suicide note was recovered from the parents' house of the deceased and it cannot be said that the name of the petitioner was mentioned in the suicide note. Learned counsel also submits that for sending the deceased abroad, some documents including visa were prepared and her death occurred due to cardiac arrest.

Heard arguments of learned counsel for the petitioner and have also perused the allegations levelled in the FIR as well as other documents available on the file.

The name of the petitioner has been mentioned not only in the FIR but in the suicide note as well. It cannot be said at this stage that the suicide note is forged one as it is a matter of evidence and will be seen during trial. It is also not disputed that the property was transferred in the name of the deceased after death of her husband and a pressure was put upon her to transfer the land and other properties.

For grant of anticipatory bail, it is to be seen whether the offence is made out or not or the custodial interrogation of the petitioner is required or not. Certain disputed question of facts have been mentioned in the arguments which cannot be taken into consideration for grant of anticipatory bail. Simply by saying that pick and choose policy has been adopted is not sufficient as only the present petitioner has been named whereas other family members including mother-in-law have not been implicated. Nothing has been

mentioned in the post mortem report whether it was a case of cardiac arrest or unnatural death.

Keeping in view the nature of the offence and that the petitioner has been named specifically in the suicide note, no ground is made out to grant anticipatory bail to the petitioner.

Dismissed.

17.05.2016
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(DAYA CHAUDHARY)
JUDGE