

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

**CRM-M No.19415 of 2016 (O&M)
Date of decision : 22.07.2016**

Sarabjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

1. Whether Reporters of 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?

AJAY TEWARI, J. (Oral)

On 31.05.2016, the following order was passed :-

“Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Sarabjit Singh in case FIR No.34 dated 10.04.2015 for offences punishable under Sections 306 and 34 of Indian Penal Code registered with Police Station City Gurdaspur, District Gurdaspur.

The petitioner is a TV reporter with a TV Channel and had accompanied the co-accused Harjinder Singh, Rattan Singh and Nirmal Singh to the shop of Babinas Raj @ Vinay Kumar regarding preparation of fictitious birth certificate for Gagandeep Singh son of co-accused Rattan Singh resulting

into Gagandeep Singh facing an FIR. The humiliation is alleged to have led Vinay Kumar to consume some poisonous substance and commit suicide.

It is contended that no role has been attributed to the petitioner.

Notice of motion for 22.07.2016.”

In this case the allegations are that as a result of pressure of the petitioner and the other co-accused, Vinay Kumar committed suicide.

Learned counsel for the petitioner has argued that the petitioner is ready to face the trial and can be held guilty only if it is proved that whatever was allegedly done was done with the intention or knowledge that the concerned person would commit suicide and there can be no requirement for custodial interrogation.

Learned Additional Advocate General is not in a position to deny this argument.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 29.07.2016 and on any other date as and when his presence is required. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

22.07.2016
Pooja sharma-I

(AJAY TEWARI)
JUDGE