

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28192-2016 (O&M)

Date of decision: October 17, 2016.

Suman Saini and another

... **Petitioners**

v.

State of Punjab

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Dalbir Singh Pheruman, Advocate for the petitioners.
Ms. Rajni Gupta, Additional Advocate General, Punjab.
Shri Fariad Singh Virk, Advocate for the complainant.

A.B. Chaudhari, J. (Oral):

Heard learned counsel for the rival parties. Perused FIR No.109 dated 18.5.2016, registered under Sections 306, 34 IPC, PS Kotwali, Patiala, in which the petitioners seek the anticipatory bail. I have perused the suicide note in view of the stiff opposition made by counsel for the complainant to find out the gravity of the offence. Upon perusal of the suicide note, I find that the same has been taken into possession by the police. Perusal of the suicide note, to my mind, prima facie would not make out any offence under Section 306 IPC. Several incidents have occurred between the parties of complaints and cross complaints. In the light of the ratio of law laid down by the Supreme Court in Sanjay v/s State of Madhya Pradesh, since the custody of the petitioner is not necessary, the interim order dated 12.8.2016 is just to be confirmed. Hence the same is made absolute.

Disposed of.

[**A.B. Chaudhari**]
Judge

October 17, 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No