

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

CRM-M-32230 of 2016

Decided on: October 27, 2016.

Kali Kant Jha and another

.... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. G.S.Sandhu, Advocate
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab

M.M.S. BEDI, J (ORAL)

The petitioners are the father and brother of Vishnu Sharma, who had committed suicide. As per the suicide note, the deceased had expressed that he was perturbed on account of the behaviour of Dildar Singh but the petitioners have been involved in the case on the basis of statement of Asha Rani, wife of the deceased, to the effect that the deceased had committed suicide as the petitioners used to harass her husband on account of property dispute.

I have gone through the facts and circumstances of the case.

Taking into consideration the relationship of petitioner No.1 being father of the deceased and petitioner No.2 being real brother of the deceased, the onus would lie upon the prosecution agency to establish that under the specific circumstances, the deceased had been compelled to commit suicide. A dual version regarding cause to commit suicide having already cropped up would entitle the petitioners concession of pre-arrest bail in this case.

Petition is allowed. It is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of arresting officer subject to the condition that the petitioners will join investigation as and when required and they will not in any manner threaten the wife of the deceased or pressurize her in any manner. In case of any interruption in the investigation or any threat or pressure imposed by the petitioners on the wife of the deceased, it will be open to the prosecution agency or wife of the deceased to approach this Court for cancellation of bail.

(M.M.S. BEDI)
JUDGE

October 27, 2016
smriti

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No