

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

Date of Decision: 11.11.2016.

CRM-M No.37604 of 2016

Chamkaur SinghPetitioner.

VERSUS

State of Punjab and anotherRespondents.

AND

CRM-M No.39814 of 2016

Harpreet Singh and anotherPetitioners.

VERSUS

State of Punjab and anotherRespondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Navjot Singh, Advocate for the petitioners.

Mr. Neeraj, Assistant Advocate General, Punjab.

SNEH PRASHAR, J.

As per the prosecution story, the marriage alliance of Amandeep Kaur daughter of Gurjant Singh was finalized with Chamkaur Singh son of Gurmit Singh (petitioner) through mediator Jaspreet Singh son of Jeeta Singh. It was settled that Rs.4 lacs would be given as *Shagun* to the boy, but later Gurjant Singh (deceased) started receiving messages from the in-laws family of Amandeep Kaur demanding Rs.8 lacs and also that the marriage party should be looked after well. On 19.09.2016, Gurjant Singh

and some other persons had gone to the house of mediator Jaspreet Singh where Chamkaur Singh, his brother Harpreet Singh and their parents Gurmit Singh and Sinder Kaur were present. Chamkaur Singh and his father Gurmit Singh demanded Rs.8 lacs as *Shagun* and when Gurjant Singh expressed his weak financial condition, Harpreet Singh and his family members used very rude language and threatened to break the marriage alliance. All of them humiliated Gurmit Singh and said all nasty things to him. Gurmit Singh remained badly perturbed and on the next day he committed suicide by hanging himself to the guarder of courtyard in the cattle shed.

On the complaint lodged by Paramjit Singh due to the humiliation faced by him at the hands of the petitioners and Sinder Kaur, the instant case was registered. Apprehending their arrest, petitioners Chamkaur Singh, Harpreet Singh and Gurmit Singh have filed the above captioned two petitions.

The submissions made by Mr. Navjot Singh, learned counsel representing the petitioners and Mr. Neeraj Sharma, learned Assistant Advocate General, Punjab have been heard.

Learned counsel for the petitioners argued that the matrimonial alliance between Chamkaur Singh and Amandeep Kaur, daughter of the deceased, had to be broken as after the engagement the petitioners found that Amandeep Kaur was 1986 born and not 1992 born as was represented to Chamkaur Singh who is also 1992 born. There was direct telephonic conversation between Amandeep Kaur and Chamkaur Singh wherein she admitted that they had concealed her age and the transcript of the communication has been attached with the instant petitions. Submitting that

that the petitioners, from whom nothing is to be recovered, be given the benefit of anticipatory bail.

Learned State counsel objected to the prayer of the petitioners stating that the occurrence during which the petitioners demanded Rs.8 lacs in *Shagun* from the deceased and when he expressed his inability to pay the same, humiliated and harassed him, had taken place just a day before the deceased committed suicide. After the occurrence he had expressed to his family members that because of the humiliation he does not want to remain alive.

The transcript of the telephonic conversation that allegedly took place between petitioner Chamkaur Singh and Amandeep Kaur, daughter of the deceased, has no meaning unless its veracity and genuineness is established. The First Information Report was lodged by Paramjit Singh son of the deceased, who was present with his father Gurjant Singh in the meeting in which deceased Gurjant Singh was humiliated and was conveyed all nasty things when he expressed his inability to pay Rs.8 lacs as *Shagun* in the marriage of his daughter. In the First Information Report, it is mentioned that the demand was raised by Chamkaur Singh and his father Gurmit Singh. It is also stated that because of humiliation the deceased was badly perturbed and he committed suicide due to the use of foul language by Chamkaur Singh etc.

Petitioner Harpreet Singh is stated to be younger brother of Chamkaur Singh who is in his early twenties. As observed above, the allegation of demand of Rs.8 lacs in *Shagun* was alleged to have been raised by Chamkaur Singh and his father Gurmit Singh. The only allegation against

In the above premise, considering the facts and circumstances and without going into the merits of the case, while petition CRM-M-39814 of 2016 qua petitioner No.1 Harpreet Singh is allowed, the said petition qua petitioner No.2 Gurmit Singh is dismissed and petition CRM-M-37604-2016 filed by petitioner Chamkaur Singh is also dismissed. Petitioner Harpreet Singh will join investigation. In the event of his arrest, he will be admitted to anticipatory bail to the satisfaction of the Investigating Officer, subject to the following conditions:-

- (1) that he shall make himself available for interrogation by the Investigating Officer as and when required;
- (2) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- (3) that he shall not leave India without prior permission of the Court.

Petitioner Harpreet Singh will appear before learned trial Court within 30 days from the date he is admitted to bail by the Arresting Officer and will file an application for regular bail. On his doing so, he will be admitted to bail on furnishing bonds to the satisfaction of learned trial Court.

(SNEH PRASHAR)
JUDGE

11.11.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No