

CRM-M-40150-2016

Date of Decision : 14.12.2016

Tej Kaur and another

.....Petitioners

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Rahul Rampal, Advocate
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

Mr. Lakhwinder S. Sidhu, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioners namely, Tej Kaur and Gurcharan Singh seek concession of pre-arrest bail in a case registered at the instance of Balvir Singh, father of Ranjit Singh alleging that elder son of the complainant, Sandeep Singh was married to petitioner No. 1 and two children were borne out of the wedlock but after the death of Sandeep Singh in an accident, petitioner No. 1 married the younger son of Balvir Singh i.e. Ranjit Singh. There was litigation pending under Section 498-A IPC, under Section 125 Cr.P.C. and under Prevention of Women from Domestic Violence Act against Ranjit Singh at the instance of petitioner No. 1, Tej Kaur. Petitioners allegedly insulted and abused Ranjit Singh on 06.09.2016 in the Court premises, as a result of which, feeling harassed, he committed suicide on 08.09.2016.

Learned counsel for the petitioners has vehemently contended that the petitioners are not responsible for the suicide

committed by Ranjit Singh as he had been attending the proceedings by putting appearance in the Courts. The petitioners had neither threatened nor abused deceased Ranjit Singh prior to 08.09.2016 when he committed suicide.

With the assistance of learned counsel for the complainant and learned State counsel, I have gone through the police file and the investigation conducted. The investigation in the present case, is at initial stage. The criminal litigation between petitioner No. 1 and Ranjit Singh has been pending as is apparent from the record. The deceased was allegedly abused and threatened to be implicated in more cases leading him to commit suicide.

I have considered the contention of learned counsel for the petitioner that no offence is made out from the allegations. It will be premature to form an opinion regarding the culpability of petitioner No. 1 who had been indulging in litigation with the deceased.

The nexus between the suicide of Ranjit Singh and the circumstances alleged to be responsible for pushing him to commit suicide, cannot be adjudicated at this stage. Chances of tampering with the evidence is also not ruled out, on grant of bail to the deceased. However, since the allegations against Gurcharan Singh - petitioner No. 2 appear to be vague, his application for pre-arrest bail can be allowed.

Petition *qua* Gurcharan Singh, petitioner No. 2 is allowed and it is ordered that in case of arrest of Gurcharan Singh, he will be

released on bail to the satisfaction of the arresting officer subject to a condition that he will not make any attempt to tamper with the evidence or hamper the investigation. The application *qua* petitioner No. 1 Tej Kaur who allegedly had direct conflict with the deceased, is dismissed without prejudice to her right to seek concession of bail in accordance with law.

(M.M.S. BEDI)
JUDGE

14.12.2016
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No