

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

CRM-M No.8975 of 2016(O&M)

Date of Decision:-15.03.2016

Kulwinder Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Amrik Singh Kalra, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner-Kulwinder Singh in case FIR No.18 dated 16.02.2016 for offence punishable under Section 306 of Indian Penal Code registered with Police Station Maloud, Ludhiana.

Learned Counsel for the petitioner has argued that no doubt a sum of Rs.5-1/2 lacs were lent by the deceased to the petitioner, however, the same were repaid. He submits that there is neither any suicide note left behind by the deceased and even otherwise the alleged non return of the lent amount, assuming for the sake of arguments, would not be a cause for abetment for the deceased to commit suicide despite the remedy of recovery of amount based on the alleged pronotes available to him.

After hearing learned Counsel for the petitioner and perusing

the orders passed by the learned Additional Sessions Judge, Ludhiana, declining the said relief based on the police file, this Court is in agreement that the petitioner is not entitled to grant of anticipatory bail. Petitioner is admittedly a commission agent and had also received an amount of Rs.5,50,000/- on interest from Hardev Singh husband of the complainant Gurjeet Kaur. The said money was to be utilized for the marriage of the daughter and on blatant refusal to return the money compelled Hardev Singh to end his life. It has been noticed that deceased has left behind a suicide notes and also pronotes etc were never cancelled or destroyed.

Keeping in view the nature and gravity of offence, no case for grant of anticipatory bail to the petitioner-Kulwinder Singh is made out.

Dismissed.

(JASWANT SINGH)
JUDGE

March 15, 2016
Vinay