

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

**CRM-M No.13417 of 2017 (O&M)
Date of Decision: 27.04.2017**

Kuldip Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S. S. Rangi, Advocate and
Mr. H. S. Cheema, Advocate
for the petitioner.

DEEPAK SIBAL J. (ORAL)

CRM No.13576 of 2017

Through the present application filed under Section 482 Cr.P.C., copy of the suicide note is sought to be taken on record, as Annexure P-4.

Allowed as prayed for.

CRM stands disposed of.

CRM-M No.13417 of 2017

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks grant of anticipatory bail in FIR No.21, dated 21.02.2017, registered under Section 306 IPC, at Police Station Moti Nagar, District Ludhiana (Punjab).

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; there is no abetment on the part of the petitioner leading to the suicide of the deceased; there is no disclosure of any specific incident in the suicide note and that the matter between the complainant and the petitioner has been compromised.

In support of his stand, learned counsel for the petitioner has relied upon a judgment of the Apex Court rendered in ***Gurcharan Singh Vs. State of Punjab, 2017(1) SCC 433.***

The allegations against the petitioner are serious. Deceased Dalbir Singh has committed suicide and as per the suicide note allegedly written by him which was found from his pocket he has attributed his death to the continued harassment and abuse by the petitioner. The authenticity of the suicide note and the extent of abetment at the instance of the petitioner leading to the death of deceased Dalbir Singh can only be investigated through custodial interrogation of the petitioner. The fact that even prior to the conclusion of investigation, the petitioner has compromised the matter with the complainant only goes on to show that the petitioner is asserting influence upon prosecution witnesses.

The judgment of the Apex Court in *Gurcharan Singh's* case (supra) would not support the case of the petitioner as that was the matter decided by the Apex Court in an appeal filed by Gurcharan Singh against his conviction. The judgment was not rendered at the stage of considering the grant of anticipatory bail.

Even otherwise, as noticed above, it is apparent that the petitioner has already influencing witnesses, as even prior to the conclusion of investigation, he has compromised the matter with the complainant.

In view of the above, I do not consider the present case to be a fit one for the grant of anticipatory bail.

Dismissed.

April 27, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No