

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

**Crl. Misc. No.M-26863 of 2017 (O&M)
Date of Decision: September 20, 2017**

Bhushan Lal and another

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. SPS Sidhu, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 20 dated 20.05.2017 registered for the offence punishable under Section 306 read with Section 34 of Indian Penal Code at Police Station GRP Faridkot, District Faridkot.

Heard.

Learned State counsel on instructions from SI Sukhdev Singh submits that petitioners Bhushan Lal and Ashu Jindal have joined the investigation, however, their custodial interrogation is required, in view of serious allegations levelled by deceased in the suicide note and also by the complainant. As per the suicide note, deceased was called in the factory of petitioner and given beatings. However, he has not given any date on which

this incident took place. He has also not named any one who called him in factory.

FIR was registered on the complaint of Vishal Kumar, whose younger brother Sunil Kumar, student of B.Com, Punjabi University, Jaito, committed suicide. In the suicide note, he blamed Jindal family for his death, stating therein that he was in touch with (daughter of petitioner No.1) for the last five years. She was afraid of her family members. He was called to their factory, abused, beaten and threatened. In order to save the honour of his parents and family, he had taken this drastic step.

Though no date of calling the deceased to the factory and giving him thrashings or threat is mentioned in the suicide note but the complainant has described this date in his statement as 19.05.2017 i.e. two days before the marriage of daughter of petitioner No. 1 which was solemnized on 21.05.2017. Daughter of petitioner No.1 was associated in the investigation of this case but she denied her relations with deceased. She was also arrayed as accused and is on bail. On inquiry, it was disclosed by learned State counsel that there is no call details of deceased with daughter of petitioner No.1 on the police file or any evidence to show that deceased was in touch with her. The matter is still under investigation.

It is a case where deceased Sunil Kumar took extreme step of committing suicide, blaming Jindal family for taking this extreme step. It is a matter to be ascertained during investigation as to whether he was having relations with daughter of petitioner No.1 or extreme step was taken by him as marriage of daughter of petitioner No.1 was fixed for 21.05.2017.

keeping in view the above facts but without expressing any

26.07.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

September 20, 2017
Jyoti-II/Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No