

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

CRM No.M-2915 of 2017 (O&M)

Date of Decision: April 25, 2017

Ravinder Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.K.S.Dadwal, Advocate
for the petitioner.

Mr.V.P.S.Sidhu, Asstt. Advocate General, Punjab
for the respondent-State.

Mr.J.S.Jaidka, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.135 dated 31.12.2016 under Sections 306 and 506 IPC, registered at Police Station Mahilpur, District Hoshiarpur.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case has been

registered on the statement of Ankit Khanna, who mainly stated that his

father namely Pran Nath aged about 65 years, was working as Contractor in Municipal Council, Mahilpur. He was doing work for the last 22-23 years. The payment of work, which has been done for about 2-3 years has not been made and in fact the payment of other contractors has been made. It is also in the FIR that Ravinder Kumar, Section Officer demanded bribe and they moved an application to Deputy Commissioner, Hoshiarpur, which is pending enquiry. During the investigation, the Section Officer Ravinder Kumar also got lodged one false case of quarrel bearing FIR No.134 dated 18.11.2016 under Sections 323, 324, 427 and 34 IPC against the complainant and his brother Maneet Khanna and qua that Pran Nath gave one application to SSP, Hoshiarpur and enquiry of the same is going on. Ravinder Kumar further gave application against the complainant, his father and his brother in the office of DGP, due to which, complainant's father became mentally upset. It is further in the FIR that on 30.12.2016, complainant's father after taking dinner slept in his room. On 31.12.2016, in the morning at about 8.00 a.m., when complainant went inside the room of his father with morning tea, then both the doors of the room were bolted from inside and after breaking the door, complainant and his brother found that their father, by putting a string around his neck, hanged himself. It is stated in the FIR that suicide has been committed by complainant's father due to non-payment of the work by the Section Officer Ravinder Kumar, who also lodged a false FIR and repeatedly gave threats for lodging false case.

Learned counsel for the petitioner brought it to the notice of this Court that petitioner had already filed the petition before this Court on

respondents to take preventive measures so that the petitioner is not involved in any false case and further to take remedial action against respondents No.8 to 10 who are out and out to harass and humiliate the petitioner and also giving threats of committing suicide for the purpose of getting the illegal work done and also attacked the petitioner, as is apparent from the FIR No.134 dated 18.11.2016. In that petition, present petitioner also asked for security etc.

This Court, vide order dated 05.12.2016, directed the SSP, Hoshiapur, to consider and decide the representation moved by the petitioner expeditiously and the official respondents were further directed to ensure that the petitioner is not unnecessarily put to harassment at the behest of private respondents and in case, the petitioner is required in any criminal case/complaint against him, 07 days clear notice in writing shall be served upon him to enable him to have legal recourse.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute details and without expressing any opinion on the merits of the case, I find that it is still debatable whether the suicide has been committed due to abetment given by the present petitioner, who had already filed the petition before this Court one month prior to the occurrence that the complainant party is giving threat to commit suicide and prayed that necessary measures be taken and he be protected and for that purpose, the petitioner also filed the representation to the police authorities.

The petitioner has already joined the investigation. No useful purpose will be served by sending the petitioner to custody.

In view of the above facts and circumstances, I find it a fit case,

where the petitioner is entitled to benefit of grant of anticipatory bail.
Therefore, the present petition is accepted and the order dated 30.01.2017
granting interim bail to the petitioner is made absolute.

April 25, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No