

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

CRL. MISC. No.M-46048 OF 2017
DATE OF DECISION : 4th DECEMBER, 2017

Raghbir Singh

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Lakhwinder Singh Mann, Advocate for the petitioner.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner-complainant, father of the deceased Tejvir Singh, has filed the present petition challenging order granting anticipatory bail to respondent No.2 in FIR No.166 dated 27.07.2017 registered under Section 306 IPC at Police Station Gobindgarh, District Fatehgarh Sahib, that was passed on 20.09.2017 by learned Sessions Court, Fatehgarh Sahib.

Heard learned counsel for the petitioner.

According to learned counsel for the petitioner, respondent No.2-Amandeep Kaur, was responsible for the death of the deceased Tejvir Singh for the reasons stated by Tejvir Singh in (Annexure P-2) the note left by the deceased. He further submits that the dead body of Tejvir Singh was found in the fish pond of his house and as such there is likelihood of the commission of suicide by Tejvir Singh by jumping into the fish pond. However, according to the him because of the harassment made by respondent No.2, his mother-in-law and father-in-law, the deceased committed suicide and therefore, the offence under Section

306 IPC has been registered. He then submitted that the trial Court in the first instance granted interim order on 08.08.2017 for awaiting the viscera report from the laboratory. The trial Court extended the said order on 16.08.2017 stating therein that the viscera report is required to be seen for releasing the petitioner on anticipatory bail. However on 20.09.2017 without awaiting for the viscera report, the trial Court confirmed the order granting *ad interim* order dated 08.08.2017. The grievance made by the petitioner is that the trial Court made haste in confirming the interim order.

I have gone through the suicide note (Annexure P- 2) with the assistance of learned counsel of the petitioner. I quote following relevant portion from the suicide note:

“Me and my wife Amandeep Kaur had a fight between us and I abused her and she also abused me. Xxx. After that, I was having a chat with my mother on phone and then in the meantime she also called her phone on the phone who came to my farm at Mandi Gobindgarh and they gave beatings to me and took me to Police Station Mandi Gobindgarh and thereafter they again gave beatings to me. In this Amandeep Kaur, her mother Harpreet Kaur and father Gurpreet Singh are involved. It was my wife Amandeep Kaur planning to give beatings to me and further to keep me away from my son Kevinjot Singh. Amandeep Kaur did not use to give food to my

mother and father and she would also not give food to me and they were having a plan to usurp whole of my property and they had also hurled threats to kill me.

I, Tejvir Singh states that tomorrow if something happens to me then Amandeep Kaur, Harpreet Kaur and Gurpreet Singh will be liable and my son Kevinjot be handed over to my mother, father and to my sister.”

Perusal of the aforesaid extract of the suicide note (Annexure P- 2) shows that the role attributed to respondent No.2 is that she along with her mother and her father had made a plan and also beatings were given to him. The further allegation is that respondent No.2 did not use to give food to his father and mother and him as well and has planned to usurp the whole property. There is son born to the couple which according to him should be handed over to his mother.

Perusal of the above allegations to my mind does not show any live link contemplate for commission of offence under Section 306 IPC that respondent No.2 had abated the offence in such a manner that the deceased Tejvir Singh had no other way but to commit suicide.

In that view of the matter, no fault can be found out with the trial Court in making the impugned order dated 20.09.2017. Consequently the petition is dismissed.

4th DECEMBER, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*