

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

CRM-M-5887 of 2017

Date of Decision: April 18, 2017

Kewal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Sanjeev Manrai, Senior Advocate
with Mr. Sachin Jain, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

Mr. H.S. Batth, Advocate
for the complainant.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C are that the petitioner is alleged to have opened a business under the name and style *M/s J.K. Company* with husband of the complainant Jaspreet Kaur namely Jaswinder Singh and it is alleged that the petitioner was instrumental in making the complainant to sell off their property and invest the amount but the same was usurped by the accused/petitioner leading to death of the deceased.

Learned counsel for the petitioner contended that the bare perusal of the FIR does not show any element of abetment and since the deceased has committed suicide does not necessarily shows involvement

of the petitioner in this suicide.

Learned State counsel assisted by learned counsel for the complainant have sought to oppose the grant of anticipatory bail on the grounds that serious fraud has been committed and the custodial interrogation of the petitioner is very much essential.

Appreciating the submissions of the two sides, bare perusal of the FIR no where reflects any insinuation against the petitioner of having abetted the deceased for suicide and that culpability, if any, shall be determined at the time of trial and that joining investigation by the petitioner would suffice the purpose, thus, the present application stands allowed. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he will abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

April 18, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No