

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

CRM-M-38975-2018
Date of decision:29.10.2018

Jasbir Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Bikramjeet Singh Jatana, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.87 dated 09.08.2018 registered under Sections 306, 420, 506, 34 of Indian Penal Code, 1860, registered at Police Station Longowal, District Sangrur.

It is case of prosecution that deceased-Dharam Singh owed an amount of ₹2 lakhs to the petitioner-Jasbir Singh and had issued three cheques for amounts of ₹50, 000/-, ₹70,000/- and ₹80,000/- in favour of petitioner. It is further the case of prosecution that the deceased had returned an amount of ₹50,000/- to the petitioner and therefore, the

petitioner returned back one of the cheques for an amount of ₹50,000/-. It is further the case of the prosecution that in respect of the second cheque amounting to ₹70,000/- the complainant had paid back ₹65,000/-, but despite the said substantial payment in respect of second cheque, the petitioner presented cheque of ₹70,000/- in the bank which was however, dishonored. It is further case of prosecution that the petitioner, however, used to threaten the complainant so as to pressure him to repay the balance amount and as a result of which Dharam Singh-deceased committed suicide.

Notice of the petition was issued to the respondent-State.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that there is nothing on record to suggest that the petitioner had ever abetted the commission of crime.

On the other hand, learned State counsel has opposed the bail application and prayed for dismissal of the same.

Having regard to the facts and circumstances of the case and the nature of allegations, and there being nothing concrete to suggest any abetment of suicide, I do not find that it to be a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 07.09.2018 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition is accepted in the above mentioned terms.

It is however made clear that none of the observations made above shall be taken to be an expression on merits of the main case.

29.10.2018
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**