

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

**CRM-M-40165-2018  
Date of decision:03.10.2018**

Manjit Singh

....Petitioner

Versus

State of Punjab

.....Respondent

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**CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

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Present: Mr. Jaswinder Singh Grewal, Advocate  
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Rishu Mahajan, Advocate  
for the complainant.

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**GURVINDER SINGH GILL, J. (ORAL)**

The petitioner seeks grant of anticipatory bail in respect of  
FIR No.109 dated 21.06.2018 under Section 306 of Indian Penal Code,  
1860, Police Station Division No.5, Jalandhar.

Mr. Rishu Mahajan, Advocate puts in appearance on behalf  
of the complainant and has filed power of attorney, which is taken on  
record.

The FIR was registered at the instance of Malkit Singh who  
has alleged that his elder brother Rajan Singh had been introduced to an

agent Manjit Singh and it was agreed that he would send his brother Rajan Singh to USA for an amount of ₹13,40,000/-. It is alleged that instead of sending Rajan Singh to America, he was sent to Moscow where Rajan Singh stayed for three months and returned back about 3-4 days prior to the occurrence. It is alleged that the complainant's brother remained disturbed and had approached Manjit Singh a couple of times and later on the complainant's brother told the complainant that Manjit Singh had defrauded him. It is further alleged that complainant's brother Rajan Singh ultimately committed suicide on 20.08.2018 by hanging himself from hook of a ceiling fan with the help of 'Dupatta' being fed up with Manjit Singh.

The learned counsel for the petitioner has submitted that even as per the FIR, it is nowhere specifically mentioned that any amount of ₹13,40,000/- had actually been paid by the deceased or by the complainant to the petitioner. It has further been submitted that in fact the petitioner had been sent to America as would be evident from the perusal of his passport Annexure P-4. Learned counsel for the petitioner has drawn attention of this Court to a copy of passport annexed as Annexure P-4 from where it is apparent that deceased had gone to Republica De Guatemala. Learned counsel has submitted that in fact the said Republica De Gautemala is part of USA and that in these circumstances it cannot be said that the deceased had been defrauded in any manner. Learned counsel has further submitted in any case, there is nothing on record to show that the petitioner had ever instigated or abetted the alleged suicide

of Rajan Singh. It has also been submitted that in fact the deceased had left India without seeking permission of the Court as one case had also been registered against him for offence under Section 307 of Indian Penal Code, 1860, and that in these circumstances the petitioner cannot be held responsible in any manner and deserves the concession of anticipatory bail.

On the other hand, learned State counsel assisted by learned counsel for the complainant has submitted that the allegations clearly depict that the deceased has been defrauded by the petitioner and that it was on account of the fact that the petitioner had sent the deceased to Russia instead of America and who ultimately had to return back that the deceased committed suicide. Learned State counsel has further pointed that in fact the Republica De Guatemala mentioned on the Visa is not part of USA and that the copy of passport nowhere reflects that the deceased had ever been granted Visa for visiting USA. It has thus been prayed that no case for grant of anticipatory bail is made out to the petitioner.

Having considered rival submissions addressed before this Court, I find that from perusal of the passport it cannot be said that the petitioner had ever been issued Visa for visiting USA. Further as far as the instigation or abetment of suicide is concerned, the same is to be inferred not only by utterances of any words but the same can be inferred from the conduct of the accused. In the present case, it is apparent that the deceased had been defrauded of a huge amount and had to return back to India which had a serious effect on the state of mind of deceased. After

returning back to India he had met the petitioner several times but to no avail, which added to his disturbed state of mind, which can be attributed to the conduct of the petitioner. In view of the aforesaid position, I do not find any special ground to grant concession of anticipatory bail to the petitioner. There is no merit in this petition and the same is hereby dismissed.

**03.10.2018**

Gaurav Sorot

**( GURVINDER SINGH GILL )  
JUDGE**Whether reasoned / speaking?      **Yes / No**Whether reportable?      **Yes / No**