

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

CRM-M-45091-2017

Date of decision:-16.2.2018

Baltej Singh @ Teji

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr. R.S. Rai, Sr.Advocate with
Mr.Sonpreet Singh Brar, Advocate
for the petitioner.

Mr.Saurav Khurana, DAG, Punjab.

H.S. MADAAN, J.

This petition for regular bail has been filed by Baltej Singh @
Teji – an accused in FIR No.95 dated 3.7.2002, under Section 306 IPC,
registered at Police Station Sadar, Faridkot (now Sadar Kotkapura).

Briefly stated, the facts of the case are that one Prabhjot
Singh @ Kaka son of complainant was married with Manbeer Kaur
Dhaliwal @ Honey in the year 1994-95; that Prabhjot Singh @ Kaka had
committed suicide on 19.3.2002 by jumping into a canal leaving behind a
suicide note reading as under:

*I am going to jump into the Canal. No man or women is
responsible for this.*

As a matter of fact, Prabhjot Singh @ Kaka had gone missing on 19.3.2002 and report in that regard was lodged by the complainant on the same day; that his body was recovered on 23.3.2002, which was cremated on 24.3.2002; that the complainant had submitted a complaint to the investigating agency to the effect that deceased had been murdered at the instance of his wife Manbeer Kaur Dhaliwal @ Honey and some other persons including the petitioner; that during investigation, it transpired that petitioner and Manbeer Kaur Dhaliwal @ Honey had abetted the suicide of Prabhjot Singh @ Kaka since Manbeer Kaur Dhaliwal @ Honey had eloped with the petitioner; that Manbeer Kaur Dhaliwal @ Honey and petitioner Baltej Singh alias Teji could not be arrested and were declared proclaimed offenders. The petitioner was arrested in this case on 8.10.2017 in response to look out notice issued against him. He had filed an application for regular bail, which was dismissed by learned Sessions Judge, Faridkot vide order dated 2.11.2017, as such he has approached this Court asking for similar relief.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record and I find that there is no merit in the petition.

As per the specific allegations, the FIR got recorded by the complainant. The suicide of deceased was abetted by Manbeer Kaur Dhaliwal @ Honey, who had eloped with the present petitioner Baltej Singh @ Teji. Though learned counsel for the petitioner has argued that in the suicide note of the deceased, he has mentioned that no person is

responsible for his death, therefore, petitioner cannot be said to have abetted suicide of the deceased, as such, he should be granted regular bail but I am not convinced by this contention. Suicide note of the deceased is only a part of evidence on which the prosecution relies and in addition to that it is to lead other evidence also. The question of guilt of accused shall be determined during the trial. The very fact that after completion of investigation, accused and Manbeer Kaur Dhaliwal @ Honey have been challaned goes to show that the investigating agency was able to collect evidence against them connecting them with the incident. Furthermore, the conduct of the petitioner also debar him from seeking regular bail. After suicide by Prabhjot Singh @ Kaka, the petitioner and Manbeer Kaur Dhaliwal @ Honey had been on run and both of them were declared as proclaimed offenders. The petitioner/accused could be arrested on 7.10.2017 from CIS Airport, Mumbai after a look out circular had been issued against him and all the airports were intimated. He was apprehended by police of Saharan Police Station, Mumbai and then intimation was given to Faridkot police. The petitioner had successfully evaded arrest for more than 15 years. If granted bail, there is every possibility of his absconding, in that way delaying the trial further. Manbeer Kaur Dhaliwal @ Honey wife of deceased and co-accused of the petitioner is yet to be arrested.

Thus, finding no merits in the petition, the same stands dismissed.

16.2.2018

Brij

Whether reasoned/speaking:

Whether reportable

: Yes/No

: Yes/No

(H.S.MADAAN)

JUDGE