

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-4661 of 2019

Date of Decision: March 05, 2019

Harpreet Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Aman Dhir, Advocate
for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off anticipatory bail application under Section 438 Cr.P.C. moved in FIR No. 03 dated 10.01.2019 under Section 306 IPC registered at Police Station S.G.N. Dev, Thermal Plant, District Bathinda.

The FIR in question was got registered on the statement of Sham Lal father of deceased an unmarried girl and aged around 20 years alleging that on 10th January, 2019, he received information that dead body of his daughter was recovered from a lake on Goniana Road

Bathinda and from the dead body a suicide note was got recovered purported to be in the hand writing of the deceased leading to the registration of the present case.

Mr. Aman Dhir learned counsel for the petitioner has argued that a bare perusal of the contents of the suicide note do not bear out any commission of offence of abetment to suicide and it is the act of the deceased, which has been responsible for taking such a step and has sought to place on reliance **Chitresh Kumar Chopra Vs. State (Goct. of Nct of Delhi) 2009(16) SCC 605** arguing that nothing is to be recovered from the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab has opposed the grant of bail on the grounds that it was the petitioner who has enticed the deceased on the pretext of love affair and, thereafter, repulsed her, thus, forcing the deceased to commit suicide and, therefore, custodial interrogation of the petitioner is very much essential.

Appreciating the submissions of the two sides, the suicide note is itself reflective of the fact that how the accused/petitioner had been instrumental in taking the poor girl and playing on her emotions and, thus, forcing thereafter to take such an extreme step is itself illustrative of active role of the petitioner in compelling the deceased to commit the suicide. The investigations are still underway at a crucial stage. The custodial interrogation of the petitioner in such a

offence is necessitated as provisions of Section 438 Cr.P.C. are to be sparingly used. No ground for grant of bail is made out. The present petition, thus, stands dismissed.

March 05, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No