

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

CRM-M-12956-2019
Date of decision:2.7.2019

Daljit Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab
assisted by ASI Davinder Singh.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.36 dated 5.3.2019 under Section 306 IPC, Police Station Sadar Patiala, District Patiala.
2. The FIR was registered at the instance of Paramjit Kaur wherein it had been alleged that her husband Narain Singh entered into an agreement with Daljit Singh (petitioner) for purchase of land measuring 200 square yards and had paid an amount of ₹1,50,000/-. It is alleged that the date of execution was fixed as 30th December, 2018 but the petitioner Daljit Singh did not execute the sale deed and later by taking complainant's husband into confidence took another amount of ₹1,20,000/- extended the date of execution of

sale deed upto 20th August, 2019. It is further alleged that the aforesaid Daljit Singh however kept on harassing her husband for remaining amount and that her husband used to remain under tension and was worried and ultimately committed suicide having been harassed by the petitioner.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged against petitioner and that even if the allegations contained in FIR are taken to be correct still the date nominated for execution of sale deed was 20th August, 2019 and in these circumstances there was no occasion for exerting any pressure on part of the petitioner to extract more amount from the deceased as the nominated date of execution of sale deed was still months away. It has further been submitted that in any case it is a case of civil dispute which has been given colour of criminal offence.
4. Learned State counsel while opposing the petition has submitted that in view of the serious nature of allegations and the fact that the petitioner is specifically named in the FIR and is not denying the factum of the agreement, no case for grant of anticipatory bail is made out. It has however been informed that the petitioner has since joined investigation and is not required for any further investigation at this stage.
5. Having considered rival contentions addressed before this Court, it apparently is a case where an agreement for sale of property had been entered into between petitioner and the complainant. The date

for execution of the sale deed i.e. 20th August, 2019 was still months away and in these circumstance it would certainly be debatable as to whether the petitioner was indeed pressurizing deceased to pay balance sale-consideration or as to whether the deceased committed suicide on his own under some depression. In any case, since the petitioner has already joined investigation, I do not find it to be a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 20.3.2019 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.

6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

2.7.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**