

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-13499-2019 (O&M)

Date of Decision:- 18.7.2019

Jaspal Singh @ Pala

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-16985-2019 (O&M)

Manjit Kaur @ Goga

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhinav Jain, Advocate, for the petitioner(s).

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioner Jaspal Singh @ Pala and Manjit Kaur @ Goga, have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.33, dated 26.2.2019, registered at Police Station City, Kotkapura, under Section 306 IPC.

2. The FIR was registered at the instance of Buta Singh, who has alleged that his father Major Singh used to reside with Manjit Kaur @ Goga, whose husband has expired. It is alleged that said Manjit Kaur, in connivance with Pala Singh usurped ₹ 2-3 lacs from his father and turned him out of the house after giving beatings to him. It is alleged that about 2-3 days back i.e. prior to death of his father, his father disclosed to him that Manjit Kaur and Pala Singh would eliminate him. It is thus alleged that due to the harassment met out to his father at the hands of Manjit Kaur and Pala Singh, he has committed suicide by consuming some poison.
3. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that even if the allegations are taken to be correct, still the same cannot be said to constitute an offence under Section 306 IPC, inasmuch as it cannot be said that the petitioners had abetted the commission of suicide by complainant's father.
4. Opposing the petition(s), learned State counsel has submitted that since both the petitioners are specifically named in the FIR, no case for grant of anticipatory bail is made out. It is further pointed out that in fact the deceased had submitted an application to the police wherein he had alleged that he has been threatened by the petitioners.
5. I have considered rival submissions addressed before this Court. Bearing in mind the nature of allegations and also that apart from the alleged beatings having been given by the accused and the allegations that the accused had deprived the deceased of an amount of ₹2-3 lacs,

there is no other specific act from which it can be inferred that the accused/petitioners had abetted the commission of suicide. The petitioners, in any case are stated to have joined investigation and are not required for any further custodial interrogation. The petitions, as such are accepted and interim directions issued vide order dated 26.3.2019 and 12.4.2019 are made absolute subject to the condition that the petitioners shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

6. The present petitions stand accepted accordingly.

July 18, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No