

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

219

CRM-M-19511-2019 (O & M)
Date of Decision:09.05.2019

Jaswinder Singh @ Jassa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. APS Srawaan, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.40 dated 27.03.2019 under Sections 306/34 IPC, registered at Police Station Guruhar Sahai, District Ferozepur. The petitioner apprehended his arrest at the hands of Police.

The FIR has been registered on the statement of the complainant-Darshan Singh with the allegations that his elder son Jagga Singh was married to Harpreet Kaur daughter of Modan Singh about ten years back. Harpreet Kaur developed illicit relations with Jassa Singh (petitioner). The complainant along with his son many times asked Santokh Singh and Kashmir Kaur, father and mother of the petitioner, to persuade upon their son (petitioner) not to do so but with no effect. The petitioner

had been keeping his daughter in law with him for the last 15 days, as a result of which his son Jagga Singh was under mental tension. The complainant further stated that in the morning of 26.03.2019, the petitioner approached and asked Jagga Singh to leave his wife. He also insulted Jagga Singh and gave beatings to him. Jagga Singh felt insulted and swallowed some poisonous substance at about 4.00 pm. He was taken to Guruhar Sahai for treatment but he died on the way. A prayer was made for taking action against the culprits.

Learned counsel for the petitioner contends that the allegations contained in the FIR are regarding beatings. According to him, the alleged suicide committed by Jagga Singh was voluntary act and there is nothing to indicate that any abetment was caused to the victim much less at the instance of the petitioner.

On the other hand, learned State counsel on instructions from ASI Mukhtiar has contended that the petitioner was involved in illicit relationship with the wife of Jagga Singh and they used to roam freely in the entire village. According to him, wife of deceased is also co-accused, who is in custody.

Considering the above and the allegations which are serious in nature, this Court finds that it is not the fit case where the extra ordinary concession of pre-arrest bail should be granted to the petitioner.

Resultantly, the present petition is dismissed.

09.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No