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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19744-2019

Date of Decision : May 31, 2019

Surinder Kumar .. Petitioner

Versus

State of Punjab Respondents

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN.

Argued by Mr. Varun Baanth, Advocate,
for the petitioner.

Mr. Rajat Bansal, AAG, Punjab,
for respondent-State.

Mr. Jagtar Kureel, Advocate,
for the complainant.

SHEKHER DHAWAN, J.

Present petition under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioner in case bearing FIR No. 29 dated 29.03.2019 under Section 306 IPC registered at Police Station City-2, Abohar, District Fazilka.

2. Allegations against the petitioner are that Parveen Kumar had committed suicide as he was being harassed by Baljinder Singh and 'Begam' as detailed in the suicide note, which was recovered from the spot immediately after the occurrence. The matter was reported to the Police by his brother.

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3. Learned counsel for the petitioner contended that the petitioner, Surinder Kumar has been falsely implicated in this case as he has nothing to do with the alleged offence. He had no reason or occasion to harass the deceased, Parveen Kumar. More so, he was not named in the suicide note.

4. Learned State counsel while opposing the bail application contended that it had come in the statements having been recorded under Section 161 Cr.P.C. that Surinder Kumar is known as 'Begam' and as such, he was named in the suicide note written by deceased, Parveen Kumar, which was recovered from the spot and the petitioner would be required for effective investigation. So, the present bail application be dismissed.

5. Having considered the submissions made by learned counsel for the parties and appraisal of record of this case file, this Court is of the considered view that as per the suicide note the allegations were against Baljinder Singh and 'Begam'. By now, the Investigating agency has not been able to lay their hands at any such material or document indicating that Surinder Kumar son of Jaswant Rai is also known as 'Begam' and the petitioner is ready to join the investigation.

6. In view of the above, the present petition is allowed and petitioner, Surinder Kumar son of Jaswant Rai is directed to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr. P.C. In the event of his arrest, the petitioner is ordered to be released on pre-arrest bail on his furnishing personal bonds and surety to the satisfaction of

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Arresting/Investigating Officer.

6. The petition stands allowed in the above terms.

(SHEKHER DHAWAN)
JUDGE

May 31, 2019
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Whether speaking/reasoned?	:	Yes
Whether reportable?	:	Yes