

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

**CRM-M No.48585 of 2018 (O&M)
Date of Decision : 09.01.2019**

Sikander Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Kulbir Singh Sekhon, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.117 dated 26.09.2018 registered under Sections 364/34-IPC (offence under Section 302/364-IPC have been foregone and offence under Section 306 IPC added later on) at Police Station Tappa Mandi, District Barnala.

It may be mentioned here that when the application for anticipatory bail was decided by the trial Court the case was under Section 302/364 IPC. However, during this interregnum the charges under Section 302/364 IPC have been deleted and Section 306 IPC has been added.

Learned Deputy Advocate General has argued that actually the deceased committed suicide under the pressure of the petitioner and other persons.

Counsel for the petitioner on the other hand has argued that admittedly the deceased had entered into an agreement to sell his property and had obtained huge sum from the petitioner and the petitioner was obviously pressing him to execute the sale deed but the family of the deceased was not allowing him to execute the sale deed and as a result of that pressure the deceased committed suicide.

Learned Deputy Advocate General on instructions from ASI Gursevak Singh has fairly accepted that the custodial interrogation of the petitioner is not required.

Be that as it may, once Sections 302/364 IPC have been removed and the deceased did not even leave behind any suicide note, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 01.11.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

09.01.2019
pooja sharma-I

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No