

216 and other connected matters

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-22815 OF 2019

Vicky @ Amreek SinghPetitioner

versus

State of PunjabRespondent

2. CRM-M-23308-2019

Sanjeev Kumar @ SonyPetitioner

versus

State of PunjabRespondent

3. CRM-M-23722-2019

Harcharan Singh and anotherPetitioners

versus

State of PunjabRespondent

4. CRM-M-24003-2019

Manjinder SinghPetitioner

versus

State of PunjabRespondent

CORAM HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present Mr.Pawan Kumar,Senior Advocate,
with Mr. Surya Kumar, Advocate for the petitioners.
In all cases.
Mr. Ajay Pal Singh Gill, DAG, Punjab.
Mr. A.S.Barnala, Advocate,
for complainant.

AMOL RATTAN SINGH, J (ORAL)

By these petitions filed under the provisions of Section 438 of

the Cr.P.C., the petitioner seek the concession of pre arrest bail.

Mr. Pawan Kumar, learned senior counsel appearing for the petitioners in these cases, submits that as a matter of fact the deceased, Baljinder Singh, had beaten up his daughter (about 16 years old) on account of which she consumed poison and was admitted to hospital but was thereafter discharged possibly upon the brother of the deceased, Buta Singh, having taken her out against medical advice, but luckily she survived.

Thereafter, the allegation is that the petitioners beat up the deceased and due to that he committed suicide.

However, he submits that even as per the affidavit filed by the SSP, Barnala, as is on record, along with the medial record, it would be seen that the deceased left the hospital on his own asking on 22.04.2019, which as per learned senior counsel was on account of the fact that he had learnt that a criminal case was going to be registered against him if he remained in the hospital (upon the police reaching there), on the allegation that his daughter had consumed poison due to him having beaten her up.

Mr. Barnala, learned counsel for the complainant, on the other hand, submits that even as per the suicide note, the petitioners were harassing the deceased on account of a money transaction between them and they obviously had beaten him, and as such they do not deserve the concession of bail.

Mr. Gill, learned DAG Punjab, on query, on instructions from SI Jasvir Singh, submits that as regards the chain of events described by learned senior counsel, that cannot be denied; but whether the deceased actually committed suicide on account of him being pressurised due to any

beaten his daughter, thereby leading her to consume poison, is a matter of investigation.

That being so, without making any comment on the actual merits of the case, I see no reason why the orders made against the petitioners should not be made absolute.

Consequently, all the four petitions are allowed, with the orders dated 20.05.2019, 21.05.2019. 23.05.2019 and 24.05.2019 made absolute, with however, it to be clarified that admitting the petitioners to bail would not, naturally, affect the investigation, which would continue on the basis of the evidence gathered by the investigating agency.

16.11.2019
mamta/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No