

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM M-32782 of 2019 (O&M)
Date of Decision: 30.10.2019

Parshotam Lal @ Parshotam Kumar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. J.K. Khetarpal, Advocate for the petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail in case FIR No. 0125 dated 23.05.2019 under Sections 306/34 IPC, registered at Police Station Salem Tabri, Ludhiana.

Briefly stated, the case of the prosecution as registered at the instance of Som Nath (brother of deceased Lal Chand), is that his Bhabhi-Mohini Devi, was having illicit relationship with the petitioner and which was objected by deceased on many occasions, but she did not mend her ways. Consequently, there used to be frequent quarrel between the deceased and his wife. Also alleged that wife of the deceased deserted him as well as two minor children and started living with the petitioner. Thus harassed with the situation, Lal Chand committed suicide on 23.05.2019 and Mohini Devi is also an accused in the present case.

It is contended on behalf of the petitioner that he has been falsely implicated and there is no relationship of the petitioner with the wife of the deceased. Also contends that nothing is to be recovered from the petitioner and he is ready to join the investigation.

On the other hand, learned State counsel has opposed the prayer and submitted that custodial interrogation of the petitioner is very

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much necessary in view of the fact that there are specific allegations of illicit relationship against him with the wife of the deceased and thus real facts are to be gathered regarding the abetment to commit suicide.

Heard both sides.

Paper book reveals that cause of death in this case is due to consumption of some poisonous substance. During the course of hearing, this Court has been apprised that co-accused namely, Mohini Devi is in judicial custody.

This Court on 24.10.2019, passed the following order:-

“CRM No.24111 of 2019

Heard.

Application is allowed as prayed for, subject to all just exceptions. Annexure P-3 and Annexure P-4 (Colly) are taken on record.

Registry to do the needful.

Main case

Adjourned to 30.10.2019.

Let both the children be produced before this Court, on the next date of hearing.”

In pursuance of the above order, both the children were produced in Court and an interaction had taken place in the Chamber.

Taking into consideration the allegations of the prosecution as well as the interaction with both the children of the deceased, this Court is of the opinion that custodial interrogation of the petitioner would be necessary to find out the truth regarding the commission of suicide by the deceased and to ascertain the role of the petitioner.

In view of the above, present petition is dismissed.

However, the observations made above including the interaction with the children may not be construed as an expression of an opinion on the merits of the case.

October 30, 2019
sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.