

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

CRM-M No.12141 of 2020
Date of decision: 12th May, 2020

Baljeet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Baltej S. Sidhu, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab puts in appearance on behalf of the State on his own.

Petitioner Baljeet Singh is accused for having been instrumental in forcing deceased Mangat Ram to consume Celphos tablets leading to his death and thus has sought first anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.0055 dated 01.03.2020 under Sections 306 IPC and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 pertaining to Police Station City Malout, District Sri Muktsar Sahib. The only allegations against the petitioner and his co-accused are as follows:-

The deceased who was working as a clerk/lab attendant in DAV College, Malout was being forced by Ex Principal Baljeet Singh Bhullar, Ex Principal Subash Chawla, HOD Anil Wadhwa, Ex HOD Pankaj Mehta, HOD Vicky Kalra and Present Principal Arun Kalra to fabricate the entries in the register forcing him to take this step.

Learned counsel for the petitioner Mr. Baltej S. Sidhu, Advocate inter alia contends that neither any specific role is attributed to the petitioner nor the very element of abetment to suicide is made out.

On behalf of the State Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab has conceded at the bar the factual scenario canvassed before this Court but has stoutly opposed the grant of bail on the grounds of heinousness of the offence and seriousness of allegations.

Going through the submissions of the two sides, it is a debatable point which can only be adjudicated at the time of trial as to the applicability of offence under Section 306 IPC. In the light of what has come up before this Court, it is a fit case where petitioner's joining the investigations would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so the petitioner shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that he will abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 12, 2020
rps

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