

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-13850 of 2020 (O&M)
Date of decision:03.06.2020

Gurvinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Pradeep Sharma, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

CRM No.12126 of 2020

The Court has been convened through video conferencing due to covid-19 pandemic.

Counsel for the applicant-petitioner submits that he will deposit requisite Court fee, welfare stamp and process fee within a period of one week after the lockdown is over. Permitted to do so.

CRM stands disposed of.

CRM-M No.13850 of 2020

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.0036 dated 17.03.2020, under Section 306 of Indian Penal Code, 1860 registered at Police Station Longowal, District Sangrur.

Learned counsel for the petitioner has submitted that deceased namely Tejinder Singh had consumed some poisonous substance on

10.03.2020. He was admitted in Civil Hospital, Sangrur from where as per the investigating report attached with the FIR, he “absconded” on 12.03.2020. Subsequently, after his statement was recorded by the investigating officer on 15.03.2020, when he was admitted in DMC, Ludhaina, the case was closed. Unfortunately, Tejinder Singh expired on 16.03.2020. The present FIR was registered on 17.03.2020 on the statement of his brother. Counsel has referred to the FIR and submitted that the allegation against the petitioner is that the petitioner owed some money to the deceased. According to the counsel, merely owing money could not have caused the deceased to commit suicide.

Notice of motion.

On asking of the Court, Mr. Amit Mehta, Sr.D.A.G. Punjab, who is available through video conferencing, accepts notice on behalf of respondent. Advance copy of the petition has already been served on the State.

Learned State counsel has opposed the bail on the ground that in his suicide note, the deceased had named the petitioner and co-accused as responsible for his death.

I have considered the rival arguments. Perusal of FIR shows that the deceased had a number of creditors and debtors. The petitioner was named as one of the debtor. After recording the statement of the deceased on 15.03.2020, a day before this death, the investigating agency found that no offence had been made out.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. The petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

It is clarified that any observation made herein above shall not be construed as an expression of opinion on the merits of the case. If the petitioner does not join the investigation then it will be open to the State to file an application to recall the order.

(SUVIR SEHGAL)
JUDGE

June 03, 2020
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No