

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

**CRM-M No.34045 of 2020
Date of Decision : 02.12.2020**

Jagjiwan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Deepinder Brar, Advocate
for the Petitioner.

Mr. Hittan Nehra, Addl. Advocate General, Punjab
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioner in case FIR No.141, dated 30.09.2020, registered under Section 306 of the Indian Penal Code, at Police Station Joga, District Mansa.

2. Background of the matter is that the Complainant Malkiat Ram son of Shinderpal moved application to the Police with the allegations that on 27.09.2020 his brother Charanjit Singh alias Channa ended his life by hanging with a tree on Mansa-Barnala road near drain of Jogewala and proceedings under Section 174 Cr.P.C. were conducted. On 30.09.2020, he checked mobile phone of the deceased and it came to know from the recording that before his death, deceased had received a phone call from mobile phone No.97707-60007 of Jaggu (Petitioner-Jagjiwan Singh),

resident of Bhai Rupa whereby deceased was told to arrange Rs.15/20 lakhs otherwise he was threatened to be picked up by the accused, but the deceased replied that he has no money and will end his life. On the application of Complainant, FIR was registered under Section 306 of the IPC.

3. It is submitted by Ld. Counsel for the Petitioner that his Client is innocent and has been falsely implicated in this case by the Complainant just to extort money from him. The Petitioner neither met with the deceased nor he was known to the deceased. In fact, one Veer Davinder Kaur daughter of Tota Singh, resident of Sangrur, who was girlfriend of deceased, committed suicide two days prior to the death of deceased Charanjit Singh alias Channa, due to which, deceased Charanjit Singh alias Channa was under trauma and as such, he also committed suicide. The Accused/ Petitioner has not committed any offence as alleged by the Complainant. Nothing is to be recovered from the present Petitioner and his custodial interrogation is not required. As such, he be released on bail.

4. To support the above contention, Ld. Counsel for the Petitioner has sent up through E-mail transcripts of two conversations one between a woman (stated to be the Petitioner's wife) and a male person (stated to be the deceased) lasting 10 minutes 20 seconds. The second conversation happens to be allegedly between the Petitioner and the deceased running into 11 minutes 44 seconds.

5. On careful perusal of the conversation between the Petitioner

and the deceased, it transpires that at various places the Petitioner has actually asked the deceased to proceed ahead with his planned/threatened suicide. Ld. Counsel for the Petitioner submits that these statements should not be read in isolation but ought to be understood in the context of the actual background.

6. This Court is not convinced with such submission at this stage, since it is a fact that the deceased did actually commit suicide and undoubtedly there was conversation between him and the Petitioner not very long before he killed himself.

7. No satisfactory ground appears to be made out, in such circumstances, to grant the extraordinary relief of Anticipatory Bail to the Petitioner.

8. Dismissed.

December 02, 2020

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No