

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35413-2020 (O&M)

Date of Decision:- 11.11.2020

Shanky

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anterpreet Singh, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.285, dated 10.12.2019, Police Station Haibowal, District Police Commissionerate, Ludhiana, under Section 306/34 IPC.
2. The FIR was lodged at the instance of Suresh Pal wherein it is alleged that a false FIR was lodged by Shanky i.e. FIR No. 185, dated 2.9.2019, Police Station Haibowal, District Police Commissionerate,

Ludhiana, under Sections 307, 341, 324, 323, 506, 427, 148, 149 IPC against his son Akshay in respect of which Akshay was granted interim bail on 26.11.2019 by this Court and wherein the next date fixed was 17.1.2020. It is alleged that after complainant's son Akshay was granted interim bail, Shanky, Rakesh Kumar (petitioner), Roshan Bala and Sunny Pabbi used to threaten him and confront him as to how he has got bail and that they will not allow him to join investigation. It is alleged that complainant's son remained upset on account of the aforesaid threats and ultimately committed suicide by hanging himself from a ceiling fan.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no evidence worth credence so as to suggest that the petitioner had committed any act which could be said to abet the commission of suicide by the deceased Akshay.
4. Opposing the petition, the learned State counsel has submitted that since there are specific and categoric allegations against the petitioner who is specifically named in the FIR, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. It is not in dispute that it is the petitioner who had lodged FIR No. 185, dated 2.9.2019, Police Station Haibowal, District Ludhiana, under Sections 307, 341, 324, 323, 506, 427, 148, 149 IPC, in which the deceased and others were nominated as accused. Pursuant to grant of interim bail to Akshay, the petitioner and others are alleged to have

threatened the deceased and confronted him as to how he had got bail and that they would not allow him to join investigation. It was on account of such circumstances created by the petitioner and others which led Akshay to take the drastic step of committing suicide by hanging himself from a ceiling fan.

6. Having regard to the aforestated facts and circumstances, this Court is of the opinion that the custodial interrogation of the petitioner would be warranted. The petition is sans any merit and is hereby dismissed.
7. It is however, clarified that none of the observations made above shall be an expression on merits of the main case.

November 11, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No