

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

**CRM-M-4955 of 2021 (O & M)
Date of Decision:-31.03.2021**

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chandan Singh Rana, Advocate
for the applicant-petitioner.

Mr. Sandeep Kumar, DAG, Punjab
assisted by ASI Kulbir Singh.

GURVINDER SINGH GILL J.(Oral)

CRM-9219-2021

For the reasons mentioned in the application, the same is allowed and the copy of suicide note as Annexure P-2 is placed on record.

CRM-M-4955-2021

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.81 dated 21.3.2020, under Section 306 IPC, at Police Station Division No.2, Ludhiana.
2. The instant FIR was registered at the instance of complainant

Gurjit Kaur wife of Lakhwinderpal Singh, wherein she has stated that her husband Lakhwinderpal Singh (deceased) was running an agency under the name and style of M/s Gurvir Motors in the year 2012. Initially the business was going on well but recently her husband suffered some financial losses, on account of which, he used to remain under tension. Her husband disclosed to her that some persons had taken Jupiter Scooters from him but were not paying the money in respect of the same. It is alleged that on 20.3.2020, when she was present in her house alongwith her children, she received a telephonic information from her husband's agency that he had not reached the agency. Upon which, she alongwith her children came out of the house and saw that Alto car of her husband was parked outside. When the complainant and others started search for her husband, they found that the door of the stairs towards third floor of the house was bolted from the other side. The complainant asked her son Gurvir Singh to open the door by having access from the adjoining house. Upon opening the door they found that the complainant's husband Lakhwinder Pal Singh had committed suicide by hanging himself from the ceiling fan in the store room. The complainant also came across his 16 pages suicide note lying on the iron box near the dead body, wherein Lakhwinder Pal Singh (deceased) specifically stated that he was committing suicide on account of conduct of Gurdeep Singh, Shamsher Singh, Raja and Ravinder Singh as they had not paid money to him despite having taken Jupiter scooters from him.

3. Learned counsel for the petitioner has submitted that it is a case where deceased admittedly had suffered financial losses and on account of which he had gone under the depression and apparently he had

committed suicide since he could not overcome his financial losses. It has further been submitted that there is nothing to suggest that the petitioner had committed an act, which can be said to be abetment for commission of suicide by the deceased and that it is a case where the petitioner on account of financial difficulty, defaulted in repayment of installments of scooter taken by him from the agency of the deceased.

4. Opposing the petition, learned State counsel has submitted that since the deceased has left a detailed comprehensive note, wherein the petitioner is specifically named and specific allegations have been levelled, it is apparent that the deceased was driven to commit suicide on account of conduct of the petitioner, who had contributed in causing financial losses to him and as such no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioner has been behind bars since the last more than 5 months and that he is not involved in any other case.

5. I have considered rival submissions addressed before this Court.

6. It will certainly be debatable as to whether the petitioner can be said to have abetted the commission of suicide by the deceased or as to whether the deceased committed suicide being under depression on account of having suffered financial losses. In any case, since the challan already stand presented and petitioner has been behind bars since the last more than 5 months and is not stated to be involved in any other case, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing

bail bonds/surety bonds to the satisfaction of learned trial Court/Chief
Judicial Magistrate/Duty Magistrate concerned.

March 31, 2021
Vijay Asija

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No