

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

(I) **CRM-M-13466-2021 (O&M)**
Date of Decision:- 2.9.2021

Bhagat Singh ... Petitioner

Versus

State of Punjab ... Respondent

(II) **CRM-M-14151-2021 (O&M)**

Randhir Singh and another ... Petitioners

Versus

State of Punjab ... Respondent

(III) **CRM-M-14404-2021 (O&M)**

Prem Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mandeep Kumar Dhot, Advocate,
for the petitioner(s).

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Sukhwinder Singh.

Mr. H.S.Dhindsa, Advocate, for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned three petitions wherein petitioners Bhagat Singh, Randhir Singh, Davinder Singh and Prem Singh, seek grant of anticipatory bail in a case registered vide FIR No. 24, dated 26.2.2021, Police Station Sadar, District Khanna, under Sections 306, 506, 34 IPC (Section 341 IPC added later on).
2. The FIR in question was lodged at the instance of Sukhwinder Kaur wherein it is alleged that she has two children i.e. daughter Harjot Kaur and son Manpreet Singh aged about 23 years. It is alleged that the house of Prem Singh is situated in front of their house and who usually entered into quarrels with them and that he had lodged false cases against complainant's son Manpreet Singh which are going on in the Courts. It is alleged that on 26.2.2021 when her son had gone to the Courts at Khanna to attend the proceedings of his case, he was harassed by Prem Singh, Bhagat Singh, Randhir Singh and Davinder Singh and there was a verbal duel amongst them. It is alleged that the aforesaid 4 persons threatened complainant's son to pay an amount of Rs.20 lakhs for the purpose of compromise in the cases while stating that they had earlier also pressurized complainant's father to leave the village and had taken possession of his land and had also got the complainant's son jailed. It is alleged that Manpreet disclosed about the said incident to the complainant and thereafter went to the "motor" (water pump installed in the fields) where he consumed some poison and ended his life. It is alleged that before

consuming poison Manpreet had made a telephone call to his cousin and had disclosed all the facts to him.

3. Learned counsel for the petitioners has submitted that it is a case where the deceased was involved in a large number of criminal cases and was facing trial and that it was perhaps on account of tension and depression of the said cases that he ended his life and that there is no such act on part of the petitioners which can be said to be abetment to commit suicide. It has further been submitted that even if the allegations pertaining to the petitioners having threatened the complainant's son are taken to be correct, still the same will fall short of abetment to commit suicide.
4. Opposing the petitions, learned State counsel has submitted that since the petitioners are specifically named in the FIR and are specifically alleged to have threatened the deceased, no case for grant of bail is made out. Learned State counsel has informed that while Bhagat Singh and Prem Singh have joined investigation, the other two petitioners have not joined as there is no specific direction in this regard.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that the deceased was facing some criminal cases in respect of which the trials were pending in the Courts and that some of the cases were against petitioner Prem Singh who happens to be residing in the neighborhood of the complainant. The question as to whether the deceased committed suicide being under depression and tension of the cases against him or as to whether the accused had

abetted the commission of suicide is a matter which can be decided in context of the evidence which is led before the trial Court. In any case, since two petitioners i.e. Bhagat Singh and Prem Singh in CRM-M Nos.13466 & 14404 of 2021 have joined investigation and other two petitioners namely Randhir Singh and Davinder Singh in CRM-M-14151-2021 are also willing to join the same, this Court is of the opinion that custodial interrogation of the petitioners is not warranted. The petitions, as such, are accepted and the interim directions issued by this Court vide order dated 7.4.2021 (in CRM-M Nos.13466 & 14404 of 2021) are hereby made absolute and petitioners namely Randhir Singh and Davinder Singh (in CRM-M-14151-2021) in the event of arrest, be released on bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners' shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

7. A photocopy of this order be placed on the file of each connected case.

2.9.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No