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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-19383-2021 IN/AND
CRM-M-16703-2021
Date of Decision: 29.07.2021

HARJIT SINGH

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present : Mr. J. S. Dadwal , Advocate for the applicant-petitioner.

Mr. Ajay Pal Singh Gill, AAG, Punjab
assisted with ASI Baljit Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (ORAL)

CRM-19383-2021

After hearing, learned counsel for the applicant/petitioner, the application is allowed the date of hearing is preponed and the main case is taken on board for hearing today itself.

CRM-M-16703-2021

The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in a case registered vide FIR No.167 dated 24.12.2020 registered at Police Station Dehlon, District Ludhiana, under Section 306 and 34 IPC.

2. The FIR was lodged at the instance of Sarabjit Kaur wife of

deceased Kuldeep Singh, wherein it is alleged that Kuldeep Singh (deceased) had borrowed some amount for his business. On 23.12.2020, he left his house in order to go to his shop as usual at 9.00 AM. While leaving, he had disclosed to the complainant that a woman named Narinder Kaur, Harjit Singh, Laddi of Aulakh Finance Company and Ramesh Kumar and another unknown person were harassing him for money and that he will talk about the same in the evening. It is alleged that on the same day at about 1.30 PM, a friend of Kuldeep Singh namely Baldev Singh telephonically informed the complainant's brother-in-law that Kuldeep Singh had also told him about the harassment being met out to him at the hands of the aforesaid accused and that he had consumed poison at the motor of Dr. Sehgal.

3. Upon receipt of said information, the complainant's brother-in-law Sarabjit Singh alongwith his sons went to the said motor, where Kuldeep Singh was found unconscious. Although Kuldeep Singh was shifted to the hospital, but he could not survive. A suicide note is also alleged to have been recovered from the 'lower' worn by Kuldeep Singh, wherein it is alleged that he was committing suicide because of some persons, namely, Narinder Kaur and Harjit Singh, as he had taken an amount of Rs.2 Lakhs, but they had prepared an agreement showing that an amount of Rs.6 Lakhs had been paid to the deceased. It is further stated therein that Laddi (Aulakh Finance Company), Ramesh Kumar and one more person having Mobile Nos.9808422000, 8146664008, 9815588899 and 9814371491 were also involved.

4. Learned counsel for the petitioner has submitted that he has falsely been implicated in the instant case simply to pressurize the accused so as not to insist upon execution of any sale deed on the basis of

agreement or to seek refund of the amount advanced to the deceased. Learned counsel for the petitioner has further submitted that in any case the petitioner is merely an attesting witness of the agreement to sell and cannot be said to be beneficiary in any manner and that by no stretch of imagination, it can be said that any conduct of the petitioner had resulted in abetting the deceased to commit suicide.

5. Opposing the petition, learned State counsel has submitted that since the name of the petitioner specifically figured in the FIR and in the suicide note, no case for grant of anticipatory bail is made out.

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

7. It appears that the deceased was running a business (shop) and had taken some amount from some persons. Although, it is alleged that the accused, while advancing an amount of Rs.2 Lakhs to the petitioner, had incorrectly recorded the amount advanced as Rs.6 Lakhs, but there is nothing on record at this stage to substantiate the said allegation. In any case, the FIR does not disclose any such conduct from which it could be inferred that the accused/petitioner-Harjit Singh has abetted the commission of suicide by the deceased. As per information furnished by the learned State counsel as received from ASI Baljit Singh, the petitioner is not stated to be involved in any other case.

8. Having regard to the aforesaid discussion, this Court is of the opinion that this is a fit case for grant of anticipatory bail. The petition, as such is accepted and the petitioner, in the event of arrest, is ordered to be released on bail, subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the

petitioner 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.

29.07.2021

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**(GURVINDER SINGH GILL)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No