

208-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.23109 of 2021 (O&M)
Decided on: 05.08.2021

Shivdev Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner pray for grant of anticipatory bail in FIR
No.17 dated 05.04.2021 under Section 306 IPC, registered at Police
Station Bhagwantpur, Rupnagar, Punjab.

The operative part of the order dated 15.06.2021, vide
which interim anticipatory bail has been granted to the petitioner, is
reproduced as under:-

“...Inter alia contends that the role attributed to the petitioner, per suicide note is, that he being the landlord had taken security deposits from the deceased tenant and he along with his son caused him financial distress/mental harassment by not refunding the said deposit. Owing to which, the deceased committed suicide. He contends that in reality, perusal of suicide note would reveal that the deceased was suffering harassment at the hands of his business partners, namely S/Sh. Sunil Puri and Harpreet Singh. They had committed a fraud and caused the deceased financial loss, which made him unable to service his debt with his lenders/creditors. Learned counsel for the petitioner contends that on the face of it, even the suicide note does not suggest any involvement and/or overt act on

CASE HEARD THROUGH VIDEO CONFERENCING

the part of the petitioner to cause any harassment to the deceased and, if at all, the same seems to be a result of certain purported fraud committed by the business partners of the deceased.

Learned counsel for the petitioner contends that based on the same very allegations and the role attributed, the petitioner's son has been accorded concession of anticipatory bail by the Court below while the petitioner's bail application was dismissed, without assigning any specific reason. Learned counsel for the petitioner submits that in passing reference it has though been mentioned that son was merely collecting the money/rent on behalf of the petitioner. Since the petitioner was/is owner of the property in question, therefore, his son was acting under his instructions.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 15.06.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State has filed the status report by way of affidavit of the Deputy Superintendent of Police, Rupnagar, District Rupnagar and on instructions from SI Subhash Chander, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 15.06.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

05.08.2021

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No