

**CRM-M-28321-2021 and
CRM-M-28515-2021**

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

Date of Pronouncement: 13.10.2021

1. CRM-M-28321-2021

Harcharan Singh and another

...Petitioners

Versus

State of Punjab

.....Respondent

2. CRM-M-28515-2021 (O & M)

Sukhjinder Singh @ Laddi and another

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Argued by: Mr. J.S.Bedi, Sr. Advocate with
Mr. Sonpreet Singh Brar, Advocate,
for the petitioners in CRM-M-28321-2021.

Mr. J.S.Brar, Advocate,
for the petitioners in CRM-M-28515-2021.

Mr. H.S.Sitta, AAG, Punjab.

Mr. G.S.Brar, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Both the cases were taken up for hearing through video conferencing.

This order of mine shall dispose of the above-captioned two petitions, seeking anticipatory bail by the petitioners in case bearing FIR

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No.92 dated 31.05.2021, registered at Police Station Kotbhai, District Sri Muktsar Sahib, under Sections 306, 506 and 149 IPC and Section 3(2) (5V) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned Senior Counsel for the petitioners in CRM-M-28321-2021 and learned counsel for the petitioners in CRM-M-28515-2021, have contended that the petitioners were falsely implicated in the present case, and that deceased-Bohar Singh was under pressure as an FIR No.30 dated 05.06.2021, under Sections 376 and 511 IPC had been got registered by one Alamjeet Kaur, against his son. It was further contended that the deceased had an affair with one Arshdeep Kaur, mother of Alamjeet Kaur, and that reliance was placed upon the statement of the deceased (Annexure P-4 in CRM-M-28321-2021) given before the police, wherein he stated that he had entered into a compromise with the accused in the above-noted FIR and no action be taken on his complaint.

It is further contended that the deceased used to borrow money from petitioner No.1 in CRM-M-28321-2021 and an amount of Rs.4,24,010/- was due towards the deceased, as would decipher from the ledger book (Annexure P-2). It is further contended that as per the calls record of the deceased, he had made calls to Arshdeep Kaur and her brother on their mobiles, just before allegedly committing suicide. The sole reason for allegedly committing suicide by the deceased was that Arshdeep Kaur had stood against him and a complaint was also filed against his son for attempting to commit rape upon her daughter. The said fact is also evident from the audio clip, recorded by Arshdeep Kaur, when he had called her

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with the averment that he was going to commit suicide. The deceased had committed suicide while jumping into a canal while leaving one suicide note and one video recording naming the petitioners and some other persons so that he could be absolved of all his monetary liabilities towards the petitioners.

Conversely, zeroing in on the arguments made on behalf of the petitioners, learned State counsel assisted by the learned counsel for the complainant, has submitted that the petitioners had mentally and physically harassed the deceased, which drove him to commit the suicide. However before committing suicide, the deceased had left a suicide note and made a video naming all the accused, including the petitioners. It is, thus, submitted that there being clinch of material on record in the form of suicide note and a video clip, the involvement of the petitioners is writ large.

I have heard the learned counsel for the parties.

As per the case of the prosecution, the deceased had committed suicide by jumping into the canal and his body had been got recovered during the investigation. The monetary transactions between petitioner No.1 in CRM-M-28321-2021 and the deceased, is *per se* established from the material on record. Still further, all the petitioners have been specifically named not only in the suicide note, but also in the video made by the deceased. Therefore, the petitioners cannot be heard pleading that the suicide note and the video had been written/made by the deceased with an intention to wriggle out of his monetary liability.

Keeping in view the serious allegations against the petitioners,

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this Court finds that the petitioners are required for custodial interrogation
and they do not deserve any concession of anticipatory bail.

Dismissed.

13.10.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No