

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

204/2

CRM-M-49736-2018

Date of decision : 15.11.2021.

Lakhbir Singh

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Satwant Mehta, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Rajiv Malhotra, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

A Coordinate Bench of this Court on 14.11.2018 had passed the following order:-

“Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail in case FIR No.96, dated 10.10.2018, registered under Sections 306 and 506 IPC, at Police Station Raja Sansi, District Amritsar Rural.

According to the prosecution, Harpreet Singh @ Sonu Kohri, husband of the complainant, who was commission agent by profession, committed suicide in the morning of 10.10.2018 by firing upon him with a carbine of Constable Sumit Kumar, a PSO with her brother Gurjit Singh Aujla, MP.

Learned counsel contends that as per suicide note left by the deceased, 17 persons had to pay huge amount to the deceased, but were not paying, despite his repeated requests, which forced him to commit suicide. The said act of the petitioner of not making payment to the deceased does not amount to abetment to deceased to commit suicide. Co-accused of the petitioner namely Mandeepak Singh has already been granted the concession of anticipatory bail vide order dated 25.10.2018 passed in CRM-M-47198-2018.

Therefore, treating the case of the petitioner on the same parity, he may also be granted the concession of anticipatory bail.

Notice of motion to the respondents for 07.02.2019.

In the meantime, the petitioner is directed to join the investigation and shall be released on interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer and further to pay the due amount, if any, which he had to pay to the deceased, in cash or by way of demand draft. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions from ASI Sukhdeep Singh, states that in terms of the entry in the ledger, the petitioner owed Rs.3,00,871/- approximately to the deceased out of which he has returned a sum of Rs.3 lacs to the legal heirs of the deceased. He upon instructions also contends that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the Covid-19 Pandemic, the order dated 14.11.2018 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 15, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No