

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

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**CRM-M-27706-2020 (O&M)
Decided on : 17.08.2021**

MANPREET SINGH @ MANI

. . . Petitioner(s)

Versus

STATE OF PUNJAB

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Bikramjeet Singh Jatan, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG Punjab
assisted by SI Rajinder Singh.

Mr. Himmat Singh Deol, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.87, dated 06.06.2020 under Section 306 of the IPC registered at Police Station Boha, District Mansa.

Learned counsel for the petitioner submits that on the following day of the suicide of the deceased, not only did her husband but her brother and the Panchayat of her village as well categorically state before the Police that they did not want to take action against any person. It has been submitted that it was almost after 7 months of the alleged occurrence and that too on the statement of certain witnesses, and the SHO of the Police Station concerned, to whom certain incriminating material including videos were allegedly given, the FIR in question came to be registered. Learned counsel has thus submitted that in the circumstances, it was evident that a fabricated case had been planted upon the petitioner with an oblique motive at the behest of some local political leader. He has further urged that the deceased was in an illicit relationship with

the said political leader. Learned counsel has thus submitted that since there was a history of animosity between one Gobinder Singh (Sarpanch of Village Akkanwali) and Gurkirat Singh (Panchayat Member of Village Akkanwali) with the petitioner, a fabricated and false case had been planted against the petitioner in connivance with the paramour of the deceased. Learned counsel has further vehemently urged that this was a case wherein the essential ingredients to attract the mischief of Section 306 IPC and Section 107 IPC were clearly amiss. It has been submitted that there was no material worth the name on record from which the petitioner could in any way be even remotely connected with the suicide of the deceased. Prayer has therefore been made that the petitioner who has been in custody since 11.06.2020 be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner on instructions from SI Rajinder Singh has invited the attention of this Court to the reply dated 23.10.2020, which has been filed by SSP Mansa. He submits that the delay in the registration of the FIR was on account of the fact that FSL report was received only on 16.03.2021 and it was only thereafter, the investigating agency swung into action. Learned State counsel further submits that in fact the petitioner had been named as an accused in FIR No.112 dated 09.07.2019 registered under Sections 452, 384, 323, 354-D, 506, 376, 511 and 120-B of the IPC and under Sections 66, 67 of the IT Act at Police Station Boha, at the instance of the deceased. Subsequently however, the petitioner was bailed out by this Court in this case FIR. However, once being enlarged on anticipatory bail, the petitioner continued to extend threats to the prosecutrix, as a result of which she was compelled to approach the Police and file yet another FIR

No.179 dated 01.10.2019 under Sections 354 and 506 IPC at Police Station Boha. Learned State counsel has submitted that even thereafter the petitioner did not mend his ways and continued to harass the deceased by circulating certain objectionable videos of her in addition to extending threats of dire consequences. Resultantly, she was pushed against the wall and ended up taking her life. It has therefore been submitted that in the circumstances, the submissions of the learned counsel qua the delay in the lodging of the FIR would not come to his rescue as enough material had been collected by the investigating agency during investigation which was indicative of the fact that the petitioner had abetted the suicide of the deceased by his conduct. It has been submitted that the witnesses, on whose statements the investigation was carried out leading to the registration of the FIR in question, had been privy to the harassment and threats which were being extended to the deceased by the petitioner ever since the registration of the aforementioned two FIRs i.e., FIR No.112 dated 09.07.201 and FIR No.179 dated 01.10.2019.

I have heard learned counsel for the parties and perused the material on record.

The submission made by the learned counsel that there was nothing to connect the petitioner with the suicide of the deceased cannot be accepted because *prima facie* there are specific and serious allegations levelled against the petitioner and it has come during investigation that the petitioner had been extending threats to the deceased ever since she had got two criminal cases against him. In addition to this, the petitioner had also indulged in circulating certain objectionable videos of the deceased. Direct evidence of abetment may not always be necessary if from the surrounding circumstances, it can be discerned that on account of some act on the part of an accused, a

person has been compelled to take his/her own life.

In the circumstances, this Court is not inclined to extend the concession of bail. The prosecution evidence is yet to commence and there is every likelihood that in case the petitioner is enlarged on bail, he could try to influence the material witnesses in his favour.

Petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 17, 2021
S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>