

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(105)

CRM-M-33745-2021(O&M)

Date of Decision: 19.08.2021

Sanmukh Singh @ Sonu

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. M.S. Nagra, A.A.G., Punjab.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.59 dated 1.6.2021 under Sections 306, 34 IPC registered at Police Station Qila Lal Singh, Police District Batala, District Gurdaspur, Punjab.

A perusal of the FIR would show that the same has been lodged by Nirmal Singh son of Swaran Singh, who is the husband of the deceased Rajwant Kaur. It has been alleged that his wife was to take Rs.3,00,000/- from Amanpreet Kaur alias Aman d/o Jhirmal Singh i.e. the petitioner before this Court and her brother Sonu, and her mother Narinder Kaur from last about two years. But despite repeated request, all the three accused refused to return the same. It has been further alleged that the accused used to insult his wife and thus, having been fed up, his wife Rajwant Kaur committed suicide by consuming Salfas tablets. It has been further alleged

that the deceased left a suicide note before committing suicide, wherein all the three accused, namely, Narinder Kaur alias Nindro, Amanpreet Kaur @ Aman and Sonu are held responsible for her death. After registration of the FIR, the petitioner approached the learned Additional Sessions Judge for grant of anticipatory bail, who vide his order dated 5.7.2021 declined the same. Aggrieved by the same, the petitioner is before this Court praying for the grant of anticipatory bail.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present FIR and no offence as alleged under Section 306 IPC is made out against her. He further contends that as per Annexure P-3, the deceased herself is in arrears of money being the committee member and thus, there was no fault on the part of the petitioner as alleged in the suicide note of the deceased.

Learned State counsel submits that there are specific allegations against the petitioner in the suicide note recovered by the police. He further contends that the custodial interrogation of all the three accused would be required for free and fair investigation.

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

It is evident from the record and the arguments advanced that allegedly there is a suicide note left by the deceased, which has been taken into custody by the police and the name of the petitioner is specifically mentioned in the same. For considering the prayer of the petitioner for grant of anticipatory bail primarily the factors like gravity of offence, probability of scuttling the investigation by the accused and her chances of fleeing from the investigation are to be taken into consideration.

In the over all facts and circumstances, the custodial interrogation in the present case appears to be more suitable and appropriate for unraveling the truth. Thus, the petitioner does not qualify to be enlarged on anticipatory bail on the anvil of the parameters as enumerated under Section 438 Cr.P.C.

The petition being devoid of any merit fails and hence, dismissed.

(RAJESH BHARDWAJ)
JUDGE

19.08.2021

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No