

216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)

CRM-M-38498-2021
Decided on : 21.09.2021

Arjun & anr.

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jagjit Singh, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioners in case FIR No.35 dated 09.03.2021 registered under Sections 306 and 34 IPC,1860 at Police Station Sujampur District Pathankot.

Learned counsel for the petitioners *inter alia* contends that both the petitioners have been falsely implicated in the case in hand on the basis of a suicide note allegedly left behind by the deceased, who was found hanging from a tree. He submits that in the said suicide note it was just mentioned that both the petitioners were responsible for her suicide. He further submits that the suicide note was completely silent as to how the petitioners were responsible for her suicide. Still further, he submits that the essential ingredients to attract the mischief of Section 306 IPC or Section 107 IPC were clearly amiss in the case in hand. Learned counsel has further submitted that the alleged suicide note was not even part of the challan presented by the investigating agency.

Per contra, learned State counsel has opposed the prayer made by learned counsel for the petitioners. He has, however, not been able to controvert the fact that the suicide note did not contain any specific allegations against either of the petitioners as to under what circumstances the deceased had committed suicide except for the fact that the deceased had stated therein that both of them were responsible for her death. Learned State counsel has however, controverted the submissions made by learned counsel that the suicide note was not part of the challan. He, on instructions from ASI Yashpal Singh submits that the suicide note was very much part of the challan, however, he conceded that there was no admitted hand writing of the deceased in the challan.

Heard.

In the facts and circumstances as enumerated hereinabove, the present petition is allowed. The petitioners be admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

21.09.2021
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No