

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

CRM-M-38581-2020 (O&M)

Date of decision: 22.03.2021

Param Parkash Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Munish Behl, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Sarju Puri, Advocate
for the complainant.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0386 dated 23.10.2019 registered under Section 306 IPC at Police Station Division No.5, District Police Commissionerate, Ludhiana.

The operative part of the order dated 23.11.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has further submitted that the allegations in the FIR as per the statement of Rajinderpal Singh, father of the deceased – Gurdeep Singh, Advocate are that, he was working in Shri Ram Finance Company and in the suicide note, he has named the aforesaid two persons along with the petitioner and one Inderdeep Singh, Advocate. It is further submitted that Inderdeep Singh was arrested and he has been granted the concession of regular bail by the Additional Sessions

Judge vide order dated 20.12.2019.

Counsel for the petitioner has further submitted that except naming the petitioner in the suicide note, there is no other allegation against the petitioner.

On a Court query to counsel for the State as to what has come during the interrogation of Inderdeep Singh, Advocate, when he was in custody, counsel for the State has submitted that it is recorded by the Investigating Officer that Gurdeep Singh was working in the same finance company and on account of a complaint given by one of the co employee 'H' name not disclosed, regarding sexual harassment allegation against Gurdeep Singh, he was feeling humiliated and depressed. It was further stated by counsel for the State that Inderdeep Singh, during the interrogation, even informed that one day, he has received an information that the husband of 'H' has come to the office and was fighting with the deceased Gurdeep Singh, on account of causing harassment to his wife.

It is also informed that such type of complaints came 3-4 times and when Gurdeep Singh (deceased) informed Inderdeep Singh that he want to left the job, he was even advised that he should find a new job before leaving the job and ultimately, Gurdeep Singh left the job.

Counsel for the petitioner in aforesaid scenario argued that it is apparent that Gurdeep Singh was depressed on account of the fact that firstly, because of the allegation of sexual harassment by one of her female co-employee and then by raising a dispute by her husband while visiting the office and finally, feeling humiliated and depressed on that account, he left the job and under depression, he has committed suicide whereas nothing has come during the interrogation of Inderdeep Singh that the petitioner had abetted Gurdeep Singh to commit suicide.

Counsel for the petitioner has, thus, argued that on

account of the new facts coming during the investigation about the deceased Gurdeep Singh, the petitioner may be granted the concession of anticipatory bail.

List again on 22.03.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 23.11.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Judge Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

However, learned counsel for the complainant has opposed the bail on the ground that two co-accused, namely Harmeet Singh and Gagandeep Singh, whose anticipatory bail applications were dismissed on 03.12.2019, have not surrendered before the Court and the allegations against the petitioner are identical to that of their.

While issuing notice of motion, finding that a distinguishable case is made out by petitioner Param Parkash Singh vis-a-vis aforesaid two co-accused, whose anticipatory bail applications were dismissed, the petitioner was granted concession of interim anticipatory bail.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 23.11.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

22.03.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*