

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44303-2021 (O&M)

Date of decision: 29.11.2021

Lakhveer Singh @ Lakhu and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. B.S. Aulakh, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.184 dated 28.09.2021 under Sections 306, 506, 149 IPC, registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel for the petitioners, at the very outset, submits that he does not intend to press this petition qua petitioner No.2 Masha Singh and petitioner No.3 Gurdas Singh, as they are ready to surrender before the trial Court and prays that a direction be issued to the trial Court to decide their bail application expeditiously.

Accordingly, the present petition qua petitioners No.2 & 3 is

dismissed as not pressed. However, it is made clear that in case petitioners No.2 & 3 surrender before the trial Court within a period of 07 days from today, their bail application be decided within three days thereafter.

It is further submitted that as per allegations in the FIR, registered at the instance of Lakhwinder Singh, the accused persons have threatened his son Arspreet Singh aged about 16 years that they will open a gate on the backside of their house towards the gate of house of the victim and on that pretext, the victim became perplexed and committed suicide. It is further submitted that there is no suicide note and two persons Darshan Singh and Balveer Kaur, who are senior citizens, have already been granted the concession of anticipatory bail by the Additional Sessions Judge, Bathinda. It is also submitted that petitioner No.1 is a young boy, aged about 20 years and is a student. Similarly, petitioner No.4 Gurwinder Kaur is a lady aged about 45 years and there is no allegation that she has extended any threat to the victim.

Short reply by way of affidavit of Superintendent of Police, Special Branch, Bathinda, District Bathinda, filed in the Court today, is taken on record.

Learned State counsel, assisted by learned counsel for the complainant and on the basis of affidavit of Superintendent of Police, Special Branch, Bathinda, has, however, submitted that there are allegations against all the petitioners that they have extended threat to the victim that they will open a gate on the backside of their house towards the gate of house of the victim and on that pretext, he became upset and has committed the suicide.

After hearing learned counsel for the parties, considering the allegations in the FIR as well as in view of the fact that no suicide note is found

and it will be a matter of trial, whether the petitioners have abetted the victim in such a manner that he had no option, but to commit suicide, this petition is allowed qua petitioner No.1 Lakhveer Singh @ Lakhu and petitioner No.4 Gurwinder Kaur and they are granted the concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C., as the same is dismissed as not pressed qua petitioners No.2 & 3, as noticed above.

29.11.2021
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No