

204.

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

CRM-M-44707-2021

Date of Decision: 30.11.2021

RITIK KUMAR

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab.

JAISHREE THAKUR.J

The petitioner herein is seeking anticipatory bail under Section 438 of the Code of Criminal Procedure in FIR No.210, dated 18.08.2021, under Sections 306/34 IPC, 1860 registered at Police Station City Tarn Taran, District Tarn Taran.

In brief the facts are that an FIR was got registered by Tejinder Singh, brother of the deceased Shamsheer Singh, with the allegation that the marriage of his brother was solemnized with Harmeet Kaur who did not have good character and his brother used to have a suspicion on her. He would also try to stop her from doing bad activities. His brother committed suicide by taking poisonous substance after being harassed at the hands of his wife Harmeet Kaur; Manjit Kaur, his mother-in-law and Ritik Hercules Gym Bypass.

Counsel appearing on behalf of the petitioner contends that the petitioner is not named in the FIR as the FIR has been registered against one Ritik Hercules Gym Bypass who stands arrested whereas the petitioner is also running a gym in the name and style of Next Level Fitness Gym. It is contended that he never knew the wife of the deceased and that one Manjit Kaur has already been allowed the concession of interim anticipatory bail. Whereas learned State counsel points out that the complainant had got a supplementary statement to the effect that his sister-in-law Harmeet Kaur was also having illicit relations with Ritik Singh @ Blade, the petitioner herein. It is also pointed out that there is a suicide note with the police which has been recovered during investigation where the deceased has named two Ritiks, one Ritik is Hercules Gym Wala and the other Ritik, the petitioner herein, and, therefore, the custodial interrogation of the petitioner would be required.

I have heard learned counsel for the parties and have also perused the suicide note which was produced in Court on its asking. The suicide note purported to have been executed by the deceased names two Ritiks. The translation version of the suicide note would clearly reflect that the deceased had mentioned that his wife was having illicit relationship with Ritik Hercules Gym and Haritik Gym Bypass and being fed up with the illicit relationship, was going to commit suicide. It is clearly mentioned that they had also quarreled with him and have given beatings to him. In the said suicide note, it is mentioned that Ritik had come to his house twice and also given beatings to him and that he could not tolerate much of the insult. Apart

from naming both the Ritiks, the deceased has also written that despite the matter having been compromised, she does not mend her habits.

The argument raised that the petitioner had no role or hand in the suicide committed by the deceased and that he did not know him, would be a matter of investigation as there is a specific description given in the suicide note regarding two Ritiks. It is also mentioned that he had suffered beatings at their hands and could not tolerate the insult and that all of them played an important role in his losing his life. The judgment as relied upon by the counsel for the petitioner (i.e. *State of Punjab Versus Kamaljit Kaur alias Bholi and another-2008(2) R.C.R. (Criminal) 562*) would not be applicable in the present case, as the matter has to be investigated. The postmortem report produced in the Court would reflect that there were abrasions on the body of the deceased which would be in consonance with the statement given that the accused had quarrelled with him and given beatings to him.

In such a situation, the matter needs to be thoroughly investigated for which the custody of the petitioner would be required. Consequently, finding no ground to admit the petitioner on anticipatory bail, the present petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

30.11.2021

sanjeev

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