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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48410-2021

Date of Decision: November 18, 2021

Trinderdeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr.Aman Dhir, Advocate for the complainant.

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RAJESH BHARDWAJ, J.

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.195, dated 26.10.2021, under Sections 306 and 34 IPC, registered at Police Station City, Sangrur, District Sangrur.

As per factual matrix of the case, the present FIR was lodged by complainant Amandeep Kaur, wherein it was alleged that her elder daughter was Jaipreet Kaur and in the year 2015, her marriage was solemnised with Sukhjinder Singh. Unfortunately, the dispute arose between the husband and the wife and due to the same, her daughter started living separately from her husband in a rented house. Her daughter's son Keeratdeep Singh, remained with his father only. It was alleged that Trinderdeep Singh @ Naughty (petitioner) had played a crucial role in getting separated her daughter from her in-laws. She alleged that her daughter remained upset and she told her repeatedly that Tarinderdeep Singh @ Naughty and Jashandeep

Singh had broken her from her family and separated her from her child as well. It was further alleged that her daughter told that they were blackmailing her and threatening to defame her by uploading her photos on social media, which were with them. Not being able to face the trauma, her daughter ended her life by consuming some poisonous substance. It was alleged that her daughter committed suicide due to harassment caused by the petitioner Tarinderdeep Singh and Jashandeep Singh. They separated her from her in-laws and were blackmailing her daughter and hence she succumbed to the pressure and committed suicide. The request was made to take a legal action against the accused.

Apprehending arrest, the petitioner approached the learned Additional Sessions Judge, Sangrur for grant of anticipatory bail, who vide its order dated 01.11.2021 dismissed the same. Aggrieved by the same, the petitioner approached this Court praying for grant of anticipatory bail.

Counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the FIR and from the bare reading of the allegations in the FIR, no offence under Section 306 IPC is made out. He has relied upon the transcript of the suicide video and argued that the reading of the same does not make out any offence against the petitioner. He has drawn attention of this Court to Annexure P-3 pertaining to the bank transactions made from the account of the petitioner to the account of the deceased. He submits that the petitioner from his own account has transferred Rs.5.00 lacs to the deceased. He argued that the petitioner in fact helped the deceased during crisis and therefore, he cannot be alleged to have abetted the suicide committed by the deceased. Learned counsel for the

AIR (SC) 3351, Geo Varghese vs State of Rajasthan and another S.L.P.(Crl.)No.4512 of 2019, Sanju @ Sanjay Siingh Sengar vs State of Madhya Pradesh 2002(5) SCC 371, M.Mohan vs State tr.Dy.Suptd. Of Police 2011(3) SCC 626, Chitresh Kumar Chopra vs State (Govt. of NCT of Delhi) 2009(4) RCR (Criminal) 196 and Bhagwan Das vs Kartar Singh 2007 AIR (SC) 2045. He submits that no case for custodial interrogation is made out and the petitioner deserves to be granted the protection under Section 438 Cr.P.C.

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

From perusal of the allegations in the FIR, it is apparent that the petitioner is not only named in the FIR but a specific role has been alleged to have been played by the petitioner in pressurizing the deceased to commit suicide. Perusal of the transcript of the suicide video would also show that the petitioner had been specifically held responsible in the suicide note. On the other hand, the bank transaction on which the petitioner has placed reliance needs a thorough investigation to find the purpose for which the heavy transaction was made by the petitioner in the account of the deceased. Investigation is at threshold and the complicity of the petitioner, prima facie, is not free from doubts.

The veracity of the allegations would be established only when the investigating Agency are allowed to thoroughly investigate the case. Section 438(1) Cr.P.C. prescribes numerous conditions to be taken into consideration while granting the anticipatory bail like the gravity of the offence, the chances of the petitioner fleeing from justice and the probability of tampering with the investigation.

In the overall facts and circumstances, this Court finds that granting anticipatory bail to the petitioner would scuttle the ongoing investigation and hence, it may result in miscarriage of justice.

There is no dispute regarding the law settled by the judicial precedents relied upon by the petitioner. However, in the facts and circumstances, the same is distinguishable as the investigation is at threshold.

The petition being devoid of any merit is hereby dismissed.

November 18, 2021
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(RAJESH BHARDWAJ)
JUDGE

1. Whether speaking/reasoned ?
2. Whether reportable ?

Yes/No
Yes/No