

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

CRM-M-5653-2022 (O&M)

Date of decision: 20.04.2022

Parveen Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.114 dated 26.08.2021, registered under Sections 306 and 34 IPC, at Police Station Sadar Pathankot, District Pathankot, Punjab.

Learned counsel for the petitioner submits that the petitioner is the brother-in-law of the deceased; that the deceased was married to Deepak Mala about 14 years ago and out of the said wedlock, two children were born; that Abhimanyu @ Sonu (since deceased), while committing suicide on 25/26.08.2021, had written a suicide note, stating therein that three persons namely, Deepak Mala (his wife), petitioner-Parveen Kumar (his brother-in-law) and one Dyal, were responsible for his death; that the allegation against Dyal Chand @ Dyalu, are that he had converted the religion of the deceased's wife from Hindu to Christian and that the deceased did not like Dyal Chand @ Dyalu taking the wife of the deceased to the Church. He further submits that the religion of deceased's wife was never converted from Hindu to

Christian; that there is no act of abetment on the part of the petitioner and that co-accused, Dyal Chand @ Dyalu, has already been granted the concession of regular bail by this Court.

In support of his case, learned counsel for the petitioner relies upon the judgment of the Hon'ble Supreme Court in Rajesh Vs. State of Haryana, 2019 (1) RCR (Criminal) 847.

Learned State counsel submits that the status report filed by way of affidavit dated 05.03.2022 of Deputy Superintendent of Police, Sub-Division Rural Pathankot, District Pathankot, is already on record. He submits that there are specific allegations of instigation/abetment against the petitioner.

I have heard the learned counsel for the parties and have also gone through the paper-book.

As per the suicide note, the petitioner (brother-in-law of the deceased), used to bring goons daily and threaten the deceased and Dyal Chand @ Dyalu, had got converted the religion of his wife and after naming three persons, i.e. the petitioner, his wife and Dyal Chand @ Dyalu, Abhimanyu @ Sonu (since deceased) committed suicide by hanging himself from a fan. As per the suicide note, there is an abatement on the part of the petitioner. Therefore, the petitioner is not entitled for anticipatory bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

20.04.2022

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No