

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

CRM-M-5702-2022

Date of Decision:-**29.07.2022**

DHANANJAY KUMAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Maninderjit Singh, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Petitioner has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case bearing FIR No.337 dated 14.12.2021 registered under Sections 306/34 IPC at Police Station Phillaur, District Jalandhar.

Counsel for the petitioner contends that the petitioner has been falsely implicated in this case. That the petitioner and deceased Jatinder Singh were working in 'Satin Finservice Ltd.'. That the petitioner was senior to the deceased-Jatinder Singh, but the petitioner was posted at Delhi whereas the deceased was posted at Ludhiana. The counsel for the petitioner

further submitted that the deceased was having matrimonial dispute and some other personal problems and due to the same reason he committed on 13.12.2021 by consuming poisonous tablets. The counsel for the petitioner further submit that the petitioner has joined investigation with the police in the light of the order of interim bail.

On the other hand, the present petition is contested by the State counsel who submitted that Jatinder Singh was working in the same company with the petitioner and that the petitioner used to harass the deceased, and due to the said reason Jatinder Singh committed suicide on 13.12.2021 and before doing so, he left behind suicide note in which he clearly blamed the petitioner, Navjot Kaur, Manjit Kaur, Baldev Singh and Anil Kumar for his death. The State counsel further submits that petitioner has joined the investigation and on instructions from SI Baljit Singh submits that now the petitioner is not required by the police for any purpose.

I have considered the submissions made by counsel for the parties.

Admittedly there was marital discord between Jatinder Singh and his wife Navjot Kaur and they were living separately and divorcee proceedings between them were going on, when Jatinder Singh committed suicide. The petitioner and Jatinder Singh were working in the same private company. It is a matter of evidence as to whether the petitioner ever intended that the deceased should commit suicide. In case, the deceased was harassed or humiliated by the petitioner, he should have taken legal recourse. Further in the present case, the petitioner has already joined the

investigation and now he is not required by the police for the purpose of further investigation or custodial interrogation.

In view of the above, this Court is of the view that no purpose is going to be served even if petitioner is subjected to custodial interrogation, at this stage. Thus without commenting on the merits of the case, present petition is allowed and order dated 10.2.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

29.07.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No