

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

CRM-M-10475-2022
Date of decision: 23.03.2022

Suraj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. G. S. Verma, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 43 dated 16.02.2022, registered under Section 306 IPC at Police Station Sahnewal, District Ludhiana.

Learned counsel for the petitioner submits that the FIR was registered at the instance of complainant Hoob Lal with the allegations that he is a retired employee and he used to sit at the shop of his son Yashpal. It is further stated that Yashpal was not having any child and he had borrowed Rs. 1 Lakh from petitioner Suraj Kumar due to some personal necessity. Since the petitioner was demanding his money back and threatening Yashpal, he committed suicide by hanging himself.

Learned counsel further submits that no suicide note was recovered and the entire story is made up just to frame the petitioner in a false case.

Learned counsel further submits that no complaint was given to any police authority that the petitioner has ever extended any threat to deceased.

Learned State counsel, on instructions from the Investigating Officer, could not dispute the factual position that no suicide note was recovered and even no complaint was made to any police authority that the petitioner has extended any threat to deceased.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the fact that no suicide note was recovered and even no complaint was given to any police authority with regard to allegations of extending threats to deceased, the present petition is allowed and the the petitioner is granted the concession of anticipatory bail, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

23.03.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No