

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

206

**CRM-M-15468-2022 (O&M)
Date of decision: 22.04.2022**

JASSI

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 CrPC for grant of regular bail to the petitioner in case FIR No.45 dated 24.02.2022 under Sections 306 and 34 of the IPC registered at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner *inter alia* contends that the FIR has been registered on the statement of Jaspal Singh that deceased-Manpreet Singh is suspected for having committed suicide on account of inability to withstand the alleged pressure exerted by the petitioner Jassi and his daughter Muskan to perform marriage with Muskan.

Learned counsel vehemently argues that the offence under Section 306 IPC would not be attracted in the facts of the instant case inasmuch as there is no overt act attributed to the petitioner which would fall within the definition of abetment to commit suicide. Section 107 IPC would contemplate the circumstances as would attract abetment. The relevant Sections are reproduced

hereinbelow:-

Section 306. *Abetment of suicide.—If any person commits suicide, whoever abets the commission of such suicide, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.*

Section 107. *Abetment of a thing.—A person abets the doing of a thing, who—*

(First) — Instigates any person to do that thing; or

(Secondly) —Engages with one or more other person or persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy, and in order to the doing of that thing; or

(Thirdly) — Intentionally aids, by any act or illegal omission, the doing of that thing.

It is argued that merely because Manpreet was not ready to perform marriage is an aspect personal to him and would not fall within the definition of committing or abetting commission of an offence.

It is also submitted that Muskan being a juvenile has been extended the concession of bail. The petitioner is in custody since 24.02.2022. Nothing is to be recovered from petitioner, hence, custodial detention is not required for the purpose of investigation.

Mr. Karanbir Singh, AAG Punjab is not in a position to controvert the aforesaid submissions

I have heard learned counsel for the parties and have perused the material on record.

In view of the facts noticed above and finding no ground for directing continued detention of the petitioner, I deem it appropriate to enlarge the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted to regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

April 22, 2022
S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No