

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 203 (2)

CRM-M-52133-2018

Date of decision : 07.03.2022

Varun Sachdeva

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM:    HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:    Mr.Keshavam Chaudhri, Advocate, and  
                 Ms.Bhavika Grusahaney, Advocate, for the petitioner.  
  
                 Ms.Bhavna Gupta, DAG, Punjab.  
  
                 Mr.Rajiv Malhotra, Advocate, and  
                 Mr.Tarun Kumar, Advocate, for the complainant.

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DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.96 dated 10.10.2018 registered under Sections 306 and 506 IPC at Police Station Raja Sansi, District Amritsar.

On 27.11.2018 this Court had passed the following order: -

“Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail in case FIR No.96, dated 10.10.2018, registered under Sections 306 and 506 IPC, at Police Station Raja Sansi, District Amritsar.

According to the prosecution, Harpreet Singh @ Sonu Kohri, husband of the complainant, who was commission agent by profession, committed suicide in the morning of 10.10.2018 by firing upon him with a carbine of Constable Sumit Kumar, a PSO with her brother Gurjit Singh Aujla, MP.

Learned counsel contends that as per suicide note left by the deceased, 17 persons had to pay huge amount to the deceased, but were not paying, despite his repeated requests, which forced him to commit suicide. The said act of the petitioner of not making payment to the deceased does not amount to abetment to deceased to commit suicide. Co-accused of the petitioner, namely, Mandeepak Singh, Lakhbir Singh and Manjinder Singh have already been granted the concession of anticipatory bail vide separate orders. Therefore, treating the case of the petitioner on the same parity, he may also be granted the concession of anticipatory bail.

Notice of motion for 09.01.2019.

In the meantime, the petitioner is directed to join the investigation and shall be released on interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer and further to pay the due amount, if any, which he had to pay to the deceased, in cash or by way of demand draft. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation which has since been completed.

In view of the reasons stated in the afore quoted order and because investigation in this case is complete with which the petitioner had cooperated, the order of this Court dated 27.11.2018, granting ad interim anticipatory bail to the petitioner is directed to be made absolute.

Since the FIR in question is of the year 2018 in which, till date, the Trial Court has not even considered the framing of charges, a direction is issued to the Trial Court to dispose of the petitioner's trial within 18 months from the date next fixed before it, in accordance with law.

07.03.2022  
shamsher

[DEEPAK SIBAL]  
JUDGE

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