

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

CRM-M-35940 of 2021(O&M)

Date of Decision: 21.07.2022

Hans Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Kuldeep Saini, Advocate
For the petitioner.**

Ms. Samina Dhir, DAG Punjab.

**Mr. Navjot Singh, Advocate
for the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 166 dated 09.08.2021, registered under Sections 306 read with Section 120-B IPC at Police Station City Rupnagar.

The counsel for the petitioner submits that the petitioner is about 80 years of age and is maternal grandfather of Manpreet Kaur wife of deceased Gagandeep Singh, who committed suicide. The counsel for the petitioner further contends that in such like case there is general tendency to rope in all the family members of the wife of the deceased and the petitioner has been falsely implicated. The counsel for the petitioner further contends that deceased Gagandeep Singh may have committed suicide due to his own personal problems, for which the

petitioner cannot be held responsible. The counsel for the petitioner further submits that petitioner has joined the investigation with the police in the light of the interim order passed by the Co-ordinate Bench of this Court. The counsel for the petitioner further submits that no suicide note is available on the record to establish the complicity of the present petitioner.

The present petition is resisted by the State counsel as well as counsel for the complainant, both of whom submit that as per the allegations appearing in the FIR deceased Gagandeep Singh who was serving in Indian Army was having strained relations with his wife Mandeep Kaur. It is further submitted that on 01.08.2021 Manpreet Kaur received a telephone call that her mother was ill and then Manpreet Kaur and deceased Gagandeep Singh went to her parental house where the entire family of the Manpreet Kaur was present, including the petitioner and all of them ill treated, insulted and threatened the deceased and due to the same reason the deceased committed suicide on 04.08.2021 by jumping into Bhakra canal. His dead body was recovered on 09.08.2021. The State counsel further submits that the petitioner has joined the investigation with the police.

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

Admittedly, there was marital discord between Manpreet Kaur and her husband Gagandeep Singh, who committed suicide by jumping into canal on 04.08.2021. It is not the case of the prosecution that deceased Gagandeep Singh left behind any suicide note. The

petitioner is maternal grand father of Manpreet Kaur, wife of the deceased. No specific allegations are there in the FIR that the present petitioner who is aged about 80 years incited or abetted the deceased by humiliating or threatening him on the day of occurrence or one or two days prior to the same. The nexus, if any, between the death of Gagandeep Singh by suicide and the petitioner would be unfolded only during trial. The petitioner has already joined the investigation with the police and nothing remains to be recovered from him. So, no purpose is going to be served even if the 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 02.09.2021 granting ad interim bail to the petitioner is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

21.07.2022

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**