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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43829-2020 (O&M)

Date of Decision: 25.04.2022

Sandeep Kaur

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ashok Giri, Advocate, for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. R.S. Bains, Senior Advocate assisted by
Mr. Harmanjeet Singh Sidhu, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (Oral)

The present petition filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No.349 dated 11.10.2020, under Section 306 IPC (Section 120-B IPC deleted and Section 201 IPC added in the challan), registered at Police Station Jandiala, District Amritsar Rural.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 20.10.2020 and after the framing of the charges five witnesses have been examined out of 16 cited prosecution witnesses.

He further submitted that in the present case there was no role attributable to

the petitioner which connects the death of deceased namely Sukhbir Kaur and, therefore, the petitioner may be considered for the grant of regular bail.

A very brief factual matrix would be required for considering the prayer of the petitioner for the grant of regular bail.

Initially on 10.10.2020 an FIR No.205 was lodged against the petitioner under Section 306 IPC whereby the allegations against the petitioner were that she had abetted the suicide of one Vikramjeet Singh with whom the petitioner had illicit relations. The petitioner was serving as a Sub Inspector in the police and the aforesaid Vikramjeet Singh as per the allegation was pressurized to commit suicide and there was an elaborate suicide note as well by the aforesaid Vikramjeet Singh. The said suicide note has also been appended with the present petition as Annexure P-5 in which details have been stated by the deceased Vikramjeet Singh with regard to the conduct of the petitioner which led him to commit suicide. In the suicide note it has also been mentioned that the petitioner was having relationship with not only Vikramjeet Singh but with other persons as well and names of those persons have also been mentioned in the suicide note, apart from the allegation of extortion of Rs.70-80 lacs from the petitioner. The name of the other paramours are also mentioned in the suicide note. After the suicide by the aforesaid Vikramjeet Singh, the wife of Vikramjeet Singh namely Sukhbir Kaur also committed suicide on the very next date since as per the prosecution, she was also being targeted by the petitioner. The petitioner in the aforesaid FIR pertaining to suicide of Vikramjeet Singh filed a bail application before this Court in CRM-M-1552-2021 which was withdrawn by the petitioner on 18.01.2021. The subject matter of the present petition

pertains to suicide committed by the wife of Vikramjeet Singh namely Sukhbir Kaur.

Learned counsel for the petitioner argued that so far as the death of Sukhbir Kaur is concerned, there is no abetment to commit suicide. He further submitted that since the material witnesses have been examined, the petitioner may be considered for the grant of regular bail. He further submitted that so far as the allegations pertaining to receiving of Rs. 70-80 lacs by the petitioner is concerned, the said amount was not received by the petitioner.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has submitted that the earlier FIR dated 10.10.2020 and the present FIR dated 11.10.2020 cannot be isolated from each other and they are inter-connected. He submitted that the petitioner was having illicit relationship with deceased Vikramjeet Singh who committed suicide and on the very next date the wife of Vikramjeet Singh also committed suicide and the allegations against the petitioner who was serving as a Sub Inspector in the police are not only serious but they are also heinous which can be seen from the suicide note of Vikramjeet Singh itself. He further submitted that the argument raised by the learned counsel for the petitioner that in the present case nothing was attributable to the petitioner with regard to abetment is misconceived in view of the fact that the wife of Vikramjeet Singh died not only in sequence of death of her husband but also the ingredients of Section 306 IPC remain satisfied so far as the suicide by the present Sukhbir Kaur is concerned. He further submitted that although the material witnesses have been examined but the

seriousness and gravity of the case would disentitle the petitioner for the grant of regular bail. He further submitted that in case petitioner is released on bail, there is every possibility that she may abscond from justice and even influence remaining witnesses.

Mr. R.S. Bains, learned Senior Advocate with Mr. Harmanjeet Singh Sidhu, Advocate has appeared on behalf of the complainant and has opposed the grant of regular bail to the petitioner on the ground that considering the totality of circumstances whereby two suicides of husband and wife in two days have occurred due to pressurization and abetment made by the petitioner to commit suicide and the petitioner has already withdrawn her earlier bail application qua the suicide pertaining to the husband namely Vikramjeet Singh and has strongly opposed the grant of regular bail to the petitioner. Learned Senior Counsel further submitted that it was not only the 'suicide note' but even the 'suicide video' was also present which was uploaded on the facebook before the Vikramjeet Singh committed suicide and a perusal of the suicide note as well as the video would show the nature and gravity of heinousness of the crime particularly when the petitioner was having illicit relations with not only the deceased Vikramjeet Singh but with many other persons which ultimately compelled Vikramjeet Singh and his wife to commit suicide and, therefore, the ingredients of Section 306 IPC remained satisfied on the face of it.

I have heard the learned counsel for the parties.

The petitioner is in custody from 20.10.2020. After the framing of the charges as per the learned counsel for the parties, 5 witnesses have been examined out of the cited 16 prosecution witnesses. As per the learned

counsel for the parties, all the witnesses have supported the prosecution version while deposing before the Court. Learned Deputy Advocate General has specifically opposed the grant of regular bail during the course of arguments on the ground that considering the background and allegations against the petitioner in case she is released on bail, then there is every possibility that she can influence the remaining witnesses and even may abscond from justice. The argument raised by the learned counsel for the petitioner that even if the petitioner has withdrawn the earlier bail application pertaining to the earlier FIR whereby suicide was committed by one Vikramjeet Singh, the same cannot have any effect upon the present petition since the present petition pertains to the suicide committed by the wife of the Vikramjeet Singh namely Sukhbir Kaur does not carry any weight. The subject matter of both the FIRs are inter-connected with each other and it cannot be said that they should be isolated straightway. The sequence of facts and circumstances of the present case suggest that firstly Vikramjeet Singh with whom the petitioner had allegedly illicit relationship had committed suicide and on the very next date Sukhbir Kaur who is the wife of Vikramjeet Singh had also committed suicide. A perusal of the suicide note which has been apprehended as Annexure P-5 and as per the learned Senior Counsel appearing for the complainant the video of suicide was also uploaded in the facebook would show that the gravity and seriousness of the matter is of high magnitude especially when the petitioner was serving as a Sub Inspector in the police.

Therefore, this Court without observing anything on the merits of the case and considering the gravity and magnitude of the present case,

does not deem it fit and proper to grant bail to the petitioner.

Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

25.04.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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