

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

CRM-M-48129-2021 (O&M)
Date of Decision:- 5.5.2022

Money @ Manpreet

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Arpan Sabharwal, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Ratti Ram.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. 19 dated 4.6.2021 under Sections 306/34 IPC at Police Station GRP Jalandhar, District Jalandhar.
2. The FIR was registered at the instance of Ramandeep wife of Madan Lal wherein she stated that while her elder son Mandeep is working as a Plumber, her younger son Rahul is working as a Painter (house-painting). It is alleged that on 3.6.2021, while she was at work at Lovely University, Phagwara, her younger son Rahul called her at about 3:15 p.m. from someone else's phone i.e. mobile number 90414-09170 and he nervously told her that mother of Money (petitioner) had called him while stating that Money required his services with respect to some paint job. When Rahul reached Money's house, then Money, Money's cousin Tari, Money's uncle

Gian Singh, Tari's mediator and Jassi wife of Aman were found present there and who issued threats to kill him and slapped him and broke his mobile phone. The complainant stated that her son further disclosed her telephonically that he was unable to speak and was using somebody else's phone and that he was scared. He further disclosed that the said persons had also prepared his video and had humiliated him. The complainant's son further told her that he felt like ending his life. The complainant, however, tried to reassure her son and told him that she would talk to him further after returning home. The complainant further alleged that on the same day at about 4:30 p.m., her brother-in-law Surjit Singh called her asking her to return home quickly. When she reached home at about 5 p.m., she came to know that her son had committed suicide at Nangal Khera near railway crossing. The complainant alleged that she had come to know that before threatening and beating her son, the accused had first given beatings to their daughter-in-law Jassi as they had come to know about friendship between Rahul and their daughter-in-law Jassi which fact was not even known to the complainant previously. The complainant alleged that the accused instead of trying to reason out with Rahul threatened him and made his video which had, thus, forced him to commit suicide.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that even if the FIR is taken to be correct, still it does not disclose any such act on part of the petitioner which can be said to be sufficient enough to abet the commission of suicide by the deceased Rahul. It has further been submitted that since identically situated co-accused namely Jasvir Kaur @ Jassi, Avtar and Gian Chand have

already been granted bail, the petitioner also deserves the same concession on grounds of parity.

4. On the other hand, the learned State counsel has submitted that having regard to the specific allegations, as levelled in the FIR against the petitioner, to the effect that he alongwith co-accused had issued threats to kill the petitioner and had humiliated him and had prepared his video, the complicity of the petitioner is clearly evident inasmuch as such like conduct on part of the petitioner and other accused humiliated the deceased forcing him to take the drastic step of commission of suicide. The learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last 10 months and 21 days and that he is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. As per the case of prosecution, the deceased was asked to come to the house of Money (petitioner) by petitioner's mother on the pretext of hiring his services for getting paint job done but when the deceased went to the house of the petitioner, he was threatened, humiliated and given beatings by the accused who also prepared his video, being enraged, as deceased allegedly had illicit relations with the daughter-in-law of the accused and which ultimately led to the commission of suicide by the deceased. At this stage, this Court does not deem appropriate to comment anything either as regards the merits of the allegations, as levelled in the FIR or as regards the alleged illicit relationship of the deceased. It will be debatable as to whether the alleged conduct of the accused, as mentioned in the FIR, can be said to be sufficient enough so as to constitute the offence of abetment to commit

suicide. The petitioner, in any case, has been behind bars for a substantial period of 10 months and 21 days. Conclusion of trial is likely to consume time as no prosecution witness is stated to have been examined till date. The petitioner otherwise has a clean record. In these circumstances, further detention of the petitioner will not serve any useful purpose.

7. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

5.5.2022

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No