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

CRM-M-42841-2023

Date of decision : 04.10.2023

Paramjeet Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Ricky Verma, Advocate for
Mr. K.K. Thakur, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Kuldeep Singh, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 438 of Cr.P.C. seeking pre-arrest bail in FIR No.216 dated 23.07.2023, registered for the offences punishable under Sections 306 and 34 of IPC at Police Station City Kharar, District SAS Nagar (Mohali).
2. As per the allegations levelled in the FIR, it has been alleged as under:-

“Statement of Harbhajan Singh Age about 63 Years Son of Joginder Singh Resident of House No.141/64 Old Mother Gujri Enclave Kharar, Police Station City Kharar, District Mohali Mob No.8196851807. I Declared That I am a resident of the said address and I am retired in the Indian Army. I have four children including three boys the

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eldest son Sarabjit Singh who is working in the army, the younger son Jaswinder Singh who is working in PGI Chandigarh and the youngest boy Gurpreet Singh who is working in the Air Force and a daughter namely Kuldeep Kaur who is married at Meli Bedwan Sector 82 Mohali. I have given my own portion to my three sons in the said house. In which I have been living with my elder son Sarabjit Singh on the ground floor and my younger son Gurpreet Singh is living with his wife on the first floor and my son Jaswinder Singh is living with his family on the second floor. My son Gurpreet Singh's was married to Manpreet Kaur daughter of Raja Singh resident of village Surat Manoli, Banur district Patiala in 2015 and after about one and two months of marriage my son Gurpreet Singh got a job in Airforce. Last night, my son Gurpreet Singh came home at around 08.00 after asking about his mother's condition if she is admitted at the Council Hospital Kharar and after coming home he went to the first floor of his room. Then this morning when I woke up at 06:30, I went upstairs to wake up my son and I saw the room was locked. On which I brought the second key of the room from downstairs and opened the door, I went inside and saw that my son Gurpreet Singh has hanged himself with the ceiling fan with a veil on his face and ended his life. Seeing my son's dead body, I gathered my family and friends, checking my son's phone which was lying in the room, we saw that he had made a video of his suicide through the phone's camera. In which he has said that, "Paramjit Singh alias Pammi, his wife and Harvinder Singh 48 wala" are involved in inciting me to commit

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suicide. Apart from this, he has also taken the name of Dheeraj and Kishna in the video. We have submitted the video along with my son's phone. That my son Gurpreet Singh has been instigated by Paramjit Singh alias Pammi and his wife and Harwinder Singh 48 wala to commit suicide. Appropriate legal action should be taken against them. If someone else's name also comes to light, please take legal action against them. I have read my complaint submit to the police and I mark all the facts stated true and correct. Constable-Harbhajan Singh Probably Statement Correct - Jaspal Kaur Verification Sd/- Satwinder Singh SI Police Station City Kharar Dated 23-07-2023 Action Police. Today SI was leaving for paper duty Doaba Group of College in Kharar, Sukh Pavitarpal Singh No. 993 SAS Nagar informed that a notification was received that Gurpreet Singh son of Harbhajan Singh resident of house no. 141/64 Kharar Old Mata Gujri Enclave, Police Station City Kharar, Distt. Mohali has committed suicide by hanging himself with the ceiling fan in his residential house. On which SI reached the spot himself. Where Pavitarpal Singh along with Sepoy Isar Singh 2448 SAS Nagar, Female Constable Harjinder Kaur No: 1927/S.A.S Nagar reached the spot. Then SI briefly examined the situation and took photo through mobile phone. From 25-32 (A) PPR was filled for the dead body of the deceased Gurpreet Singh and with the help of their family members the dead body was taken down and admitted to the Civil Hospital Kharar for further action. Where the doctors declared Gurpreet Singh as dead. On which SI made a cursory inquiry. Later

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at Civil Hospital Kharar gate SI enquired form the father of deceased Gurpreet Singh (Harbhajan Singh S/o Joginder Singh resident of House No. 141/64 Old Mata Gujri Enclave Kharar, Police Station City Kharar, District Mohali) and other relatives and recorded the statement of father of deceased Gurpreet Singh and the father deceased Gurpreet Singh signed the statement in Punjabi stating it true and correct to his knowledge and the statement was confirmed by Jaspal Kaur, the mother of the deceased Gurpreet Singh, by signing in Punjabi. The statement was verified by SI stating the statement was found to be under section 306 IPC. Then an FIR was filed against Paramjit Singh alias Pammi and his wife and Harvinder Singh 48 Wala SAS Nagar and female constable Harjinder Kaur no. 1927 SAS Nagar, registered the case and informed about the file number. During the investigation, if any other persons name except Dheeraj and Krishna comes forward against anyone or any person other than them, action will be taken as per the case. On which I have the opportunity to investigate the work of Harbhajan Singh along with fellow employees including Man SI. Ba Hadam Civil Hospital Kharar at 11:00 AM SI Satwinder Singh SI picked up by Sunny Enclave Police Station City Draft dated 23-07-2023 Statement is liable, but the case was registered against the said objection and it was completed. Kalat FIR Area Magistrate Sahib and officers are being sent through the service of Balaji. Circle Officer Kharar and IC Contr Room Mohali are being informed about Bajrian Telephone. 1927 S.A.S. The investigation of the city is being sent to SI

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Satwinder Singh BEETRT The chief Munsu police station was instructed to complete the record.”

3. Counsel for the petitioner has tried to argue that the petitioner was in fact assisting the deceased in his trouble times by advancing money and thus no offence under Section 306 of IPC can be made out as there is no allegation of abetment as enumerated under Section 107 of IPC.

4. The prosecution has placed on record the transcription of the video recording recorded by the deceased just prior to the time he took his life which reads as under:-

“Transcription of death video of Gurpreet Singh

Regarding Case No.216 dated 23.07.2023 under Section 306, 34 IPC, Police Station City Kharar.

Dated 22 July. Time 9.20 PM (As per video detail of Phone)

Time of recording of conversion: 4 Min 41 Sec.

- This is my live video of death.
- I don't want to annoy anyone.
- There is no involvement of my family, not my parents, not my brother or sister-in-law.
- But none of my family member should get employment.
- My family should not get employment. It should be given to some poor person.
- not understandable words.
- All the persons who was the main, Paramjit Pammi, his wife, who used to annoy the people.
- One was Dheeraj, whose father died in his tension. One was our Krishna, this Paramjit Pammi gave liquor to drink to the people and then gave them money.

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- Used to drink the liquor to the people and give the oney.
- One was Harvinder Singh, aged 48 years, who has used to do this work from me otherwise I had not taken any money from anybody as I have no need of this.
- He had forged the signatures of officer and took the O.D. Loan because of that I have to do this.
- I have nothing.
- I have to die.. nothing... I have to die but this life is only for my mother only.
- O.K. good bye all.
- But Paramjit Pammi should realize that I am going to die because of him who is responsible. Paramjit Pammi.”

5. Keeping in view the allegations levelled against the petitioner and the fact that he has been specifically named and assigned the definite role by the deceased, this Court does not find it to be a case for extending extra ordinary relief of pre-arrest bail.

6. Resultantly, the present petition is dismissed.

7. Needless to say anything expressed herein above should not be taken as an expression on the merits of the case.

(PANKAJ JAIN)
JUDGE

04.10.2023
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No