



Sr. No.226

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18202-2024
Date of decision: 21st May, 2024

AMANDEEP SINGHPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Simranjeet Singh Sarwara, Advocate and
Ms. Khushika Setia, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab
assisted by SI Gurpreet Singh.

Mr. Sudershan Thakur, Advocate
for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant first petition has been filed by the petitioner under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.99 dated 28.03.2024, under Section 306 IPC, 1860, registered at Police Station Sohana, District SAS Nagar, Mohali (Annexure P-1).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. There is a suicide note, as alleged in the press note (Annexure P-2) but nobody is named in the said press note as being responsible for the said suicide having been committed by the victim deceased. As such, the ingredients of the offence under Section 306 IPC and 107 IPC are not proved. The petitioner is ready to join the investigation.

3. Learned State counsel has filed short reply dated 28.04.2024, by



Police, City-2, SAS Nagar, on behalf of respondent-State of Punjab, which is taken on record.

4. Learned State counsel as well as the learned counsel for the complainant have opposed the present petition on the ground of gravity of allegations levelled against the petitioner.

5. I have considered the aforesaid contentions and perused the paper book.

6. As per the status report, the information was telephonically received through Sanjeev (landlord of the house) that a girl, who was living as a tenant in his house, has hanged herself, upon which, the Investigating Officer reached the spot and inspected the place. The victim-girl, who is a resident of Kullu, was found lying in her room near the sofa and a black scarf (*chunni*) was found hanging with the roof fan. Some part of the said black scarf was cut and the same was lying on the ground. There were marks on the neck of the deceased also. A suicide note, passport and Aadhaar Card of the deceased victim and one original RC of the motorcyle in the name of the petitioner were found which were taken into police possession. The FIR was registered at the instance of the father of the deceased. The Investigating Officer has also recorded the statement of the landlord of the house, neighbours and the maid, who have confirmed that the petitioner and the deceased victim were living together in the rented house for the last about 06 months. The landlord has also produced a receipt, as per which, the petitioner had paid the electricity bill through *Paytm* from his mobile number.

7. It is not disputed that the petitioner is married to somebody else and during the investigation, the Investigating Officer has also recorded the



statement of a friend of the wife of the petitioner, who has revealed about the relationship *inter se* the petitioner and the deceased girl and about the petitioner residing in a rented accommodation in Sector 78, Mohali. It has further been testified that she had visited the house where the deceased girl was living. The call details *inter se* the wife of the petitioner and the deceased girl have also been investigated by the Investigating Officer.

8. The only contention raised on behalf of the counsel for the petitioner is that the petitioner is not named in the suicide note and he was not found present at the spot, as such, there is no question of instigating the victim or abetment to suicide. The Investigating Officer has also shown me the suicide note in the Court. The same is yet to be compared with the admitted handwriting of the deceased. The said suicide note does not bear the signatures of anyone. Moreover, when the Investigating Officer has inspected the spot, the noose was already cut and the body of the deceased girl was not hanging but was lying on the spot. As such, the suicide note is yet to be linked with the handwriting of the victim. The matter requires thorough investigation. The custodial interrogation of the petitioner is necessary.

9. Keeping in view the facts on record and specially, keeping in view the statement of the landlord having been recorded that the petitioner and the deceased were living in the same house despite the fact that the petitioner is married to somebody else, it is not a fit case to release the petitioner on anticipatory bail. Apart from this, the intimation about the occurrence was given to the Police by the landlord and not by the petitioner.



10. In view of the aforesaid facts and circumstances, no ground is made to release the petitioner on bail. Consequently, the present petition stands dismissed.

11. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

21st May, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>