



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19747-2024
Date of decision:12.09.2024

Bachan Singh ...Petitioner

Versus

State of Punjab .Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Ms. Riffi Bala Birla, Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner seeking grant of anticipatory bail in criminal case having FIR No.66 dated 05.09.2022 registered under Section 306/120-B IPC at Police Station Lakhewali, District Sri Muktsar Sahib.
2. The allegations in nutshell are that Paramjit Kaur got married with Dilbagh Singh son of Subegh Singh. Manjit Kaur is wife of Subegh Singh. As per the allegations recorded in the FIR, false criminal case under Section 376 IPC was registered against Subegh Singh at the instance of family members of Paramjit Kaur to harass him. That Paramjit Kaur also used to harass her in laws after the death of her husband Dilbagh Singh. Due to registration of false FIR, under Section 376 IPC, Subegh Singh got upset and committed suicide. However, before ending his life Subegh Singh had written suicide note wherein he blamed Paramjit Kaur and other members of her family for his death.



3. The counsel for the petitioner submits that petitioner is falsely implicated in the present case being real brother of Paramjit Kaur. It is further submitted that Dilbagh Singh died in 2019 and thereafter, Paramjit Kaur performed second marriage in April 2022. It is further submitted that FIR was registered against Subegh Singh under Section 376 IPC at instance of some lady, and thereafter, Subegh Singh committed suicide. It is further submitted that there was no abetment or incitement on the part of the petitioner to compel Subegh Singh to commit suicide. It is further submitted that the petitioner has already joined investigation with the police.

4. The present petition is resisted by the State counsel who on instructions from ASI Amarjit Singh submits that the petitioner being brother of Paramjit Kaur, compelled Subegh Singh to end his life by committing suicide. However, the State counsel has not disputed the fact that petitioner has joined the investigation with the police and that report of FSL with regard to hand writing appearing on the suicide note is still awaited.

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

6. The recovery of suicide note left behind by Subegh Singh is already effected. However, the report of FSL with regard to said suicide note is still awaited. Nothing remains to be recovered from the petitioner who has already joined the investigation with the police. It is a matter of evidence as to whether the petitioner was having any intention to drive Subegh Singh to end his life by committing suicide. In the given circumstances, no purpose is going to be served by subjecting the petitioner

to custodial interrogation at this point.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 08.07.2024 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

12.09.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No