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

CRM-M-28715-2024

Date of Decision:-29.08.2024

HARWINDER KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. S.S. Grewal, Advocate, for the petitioner.

Mr. Adesh Pal Singh AAG, Punjab.

Mr. A.K. Khunger, Advocate for the complainant.

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SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 of the Code of Criminal Procedure, the petitioner is praying for anticipatory bail in the event of arrest in FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
54	08.05.2024	306 IPC	Vairoke, District Sri Muktsar Sahib

2. Brief facts of the case are that the instant FIR was registered on the complaint of Najam Singh stating that they had dispute with Randeep Singh relating to the shops situated near canal Ladhuwala Uttar. Earlier a compromise was effected between the parties but Randeep Singh and others had been often uttering wrong words to them due to which his father remained depressed. On 08.05.2024 at about 4:15 PM, his father had gone to bus stand Ladhuwala Uttar on motorcycle. Thereafter, he received a call from his uncle Jaspal Singh informing that near the bank of the canal



motorcycle, turban, chappal and purse of Gurcharan Singh were lying, on which complainant reached to the spot and found the articles lying there were belongings of his father but his father was not there. The complainant checked the purse and found a suicide note in the hand writing of his father in which it was written that he is committing suicide by jumping into canal due to stress and tension from nephew Randeep Singh and his wife Harvinder Kaur. Hence the FIR.

3. It is, *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the deceased, happened to be uncle of the husband of the petitioner and she has nothing to do with the allegations levelled in the FIR. He further contends that the prosecution is relying upon two suicide notes recovered by the police, which itself had created doubt regarding the authenticity of the same. He contends that the version putforth by the prosecution is totally misconceived as during his life time the deceased had already effected compromise with the husband of the petitioner qua the disputed shops vide Annexure P-3. He contends that petitioner is ready to join the investigation, as such, he prays for grant of anticipatory bail to the petitioner.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant, referring to the reply dated 20.07.2024 submitted by the State have assailed these arguments by submitting that the deceased owned certain properties with which the petitioner and her husband were raising dispute with him. They contend that although the compromise (Annexure P-3) was executed but that pertains to only one shop whereas the petitioner and



her husband had been creating quarrels and disputes with the deceased qua the other properties and on the basis of same he has committed suicide. They contend that although two suicide notes were recovered in the case, however as per the report received from the Forensic Science Laboratory there is nothing to doubt the genuineness of hand writing of both the suicide notes to be that of the deceased. The copy of Forensic Science Laboratory report has been placed on record in this regard. They contend that petitioner is named in the suicide note itself as one of the person who had instigated the deceased in committing suicide, hence she does not deserve concession of bail.

5. After considering the arguments and perusing the record, it is not disputed that the deceased happens to be the uncle of the petitioners husband. The property dispute *inter se* is also not disputed, although qua one shop there had been a compromise (Annexure P-3). The deceased left two suicide notes and has mentioned in one of them regarding being upset by the act and conduct of the present petitioner in trying to grab his property, leading to his taking extreme steps.

6. Therefore, considering the nature and gravity of offence, no case is made out in favour of the petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

29.08.2024

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No