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102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30869-2024 (O&M)
Date of Decision: 30.07.2024

ZORAWAR SINGH

.....PETITIONER

Vs.

STATE OF PUNJAB

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Prince Goyal, Advocate,
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

Mr. Tarunveer Vashist, Advocate,
for the complainant.

HARPREET KAUR JEEWAN J.

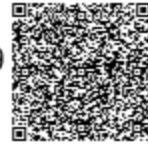
1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0056, dated, 15.05.2024, registered at Police Station Kotwali, District Bathinda, under Section 306 of the IPC read with Section 34 thereof.
2. As per the prosecution case, the victim aged about 20 years was studying in a college and was staying in a hostel. About a month before the alleged occurrence, she informed her father-complainant that the petitioner used to tease her telephonically and compel her to solemnize marriage with him. He also used to threat that in case the victim does not agree to marry with him, he would kill her and her father. The victim further told his father that even the mother of the petitioner used to insist her for solemnizing marriage with the petitioner. On 13.05.2024, the victim told her father that

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the petitioner had made a telephonic call to her informing that he, along with some other boys would take away her from the college. Thereafter, the mother of the petitioner told the victim that his son-petitioner had consumed spray and he had died. She further told that they would implicate her (the victim) and her father in a murder case due to which the victim used to remain in fear. On 14.05.2024, the victim committed suicide by hanging herself with ceiling fan in a room of the hostel. A case was registered at the instance of the father of the victim.

3. Learned counsel for the petitioner *inter alia* contends that petitioner is already married. On 30.05.2023, the marriage has also been registered as per the marriage certificate (Annexure P-2). He is living a happy married life. As such, there was no occasion for the petitioner to instigate the deceased to marry him. In fact the deceased was not having cordial relationship with her step mother and due to this reason, she was living in a hostel despite having her own residential house in the same town. There is no suicide note left by the deceased. It is further contended that the present FIR has been lodged by the complainant to settle his personal score with the petitioner as the complainant did not like the friendship of the deceased with the petitioner.

4. A status report, dated 24.07.2024, by way of an affidavit of Sh. Kuldeep Singh, PPS, Deputy Superintendent of Police, City-1, Bathinda, has already been filed by learned State counsel and further contends that even the father of the petitioner has denied the marriage of the petitioner which has been alleged by him.

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5. It is further contended that there were numerous calls *inter se* the petitioner and the deceased immediately before the commission of suicide by the victim. The custodial interrogation of the petitioner is required.

6. Learned counsel appearing on behalf of the complainant referred about a photograph and the 'Whatsapp' conversation *inter se* the victim and the petitioner and opposed the present bail petition.

7. I have considered the aforesaid contentions.

8. The victim had died an unnatural death by committing suicide. As per the status report, the victim was using mobile phone number 78144-21445 which is registered in the name of her father Roop Singh whereas mobile phone number 81960-53130 was registered in the name of petitioner Zorawar Singh. During the investigation, the call details *inter se* the petitioner and the victim had been verified and as per the status report, the petitioner had made 6510 calls to the victim during the period from 01.04.2023 to 12.05.2024 and even the victim had made 8191 calls to the petitioner. It is further alleged that during the investigation, it was found that the petitioner had been calling the victim constantly out of which on 11.05.2024, he made 16 calls to her and on 12.05.2024 he made 23 calls to her, i.e. immediately prior to the occurrence. The investigating agency has also recorded statement of the room-mate of the deceased who was staying in the same room in the hostel when the alleged occurrence took place. In the supplementary statement recorded on 30.05.2023, the complainant had also disclosed the investigating agency that the petitioner has secretly solemnized marriage with Pxxx who is residing in Canada and the said marriage was neither attended by the parents of the petitioner nor by the parents of the girl



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Pxx. The petitioner was allegedly pressurizing the victim to solemnize the marriage with him in India as Pxxx went abroad.

9. The investigation is at nascent stage. The investigating agency is trying to unfold the whole story.

10. Keeping in view the *prima facie* connection between the petitioner and the victim that too immediately prior to the alleged occurrence, there is a need for thorough investigation. Custodial interrogation of the petitioner would be more elucidating the case.

11. Considering the facts and circumstances of this case, no ground is made out for granting the concession of anticipatory bail in this case.

12. Consequently, the present petition stands dismissed.

13. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

14. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 30, 2024
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether reportable	No