

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.34949 of 2023
Date of decision: 8th January, 2024

Vijay Kumar & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasraj Singh, Advocate for the petitioner.

Mr. Arun Luthra, Deputy Advocate General, Punjab
for the respondent/State.

Mr. Arnav Sood, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail in FIR No.180 dated 10.07.2023 for the offences under Sections 306, 34 IPC registered at Police Station Model Town, District Hoshiarpur (Annexure P-1).

2. On 21.07.2023, while noticing the following submissions made by learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation.

“Learned counsel, while drawing the attention of this Court to the FIR, which was registered at the instance of the father of the deceased, submits that a perusal of the same does not even remotely invite the mischief of an offence

under Sections 306/107 IPC. It has been submitted that it is also a matter of record that prior to the registration of the FIR, there was no complaint made against the petitioners or their family by the complainant party qua any alleged harassment or torture, and still further, the deceased had not even left behind any suicide note.”

3. Learned counsel appearing on behalf of the petitioners submits that in compliance of the order dated 21.07.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Sukhjinder Singh, has not disputed the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. However, learned counsel appearing on behalf of the complainant has opposed the prayer made by the learned counsel for the petitioners in view of the gravity of the allegations as well as the suicide note which was left behind by the complainant. He submits that in the suicide note, the deceased had categorically stated that being fed-up with the continuous mental harassment meted out to him by the petitioners, he was ending his life.

6. Learned counsel for the petitioners has submitted that the factum of the suicide note having been left behind was not to their knowledge as no submissions had been made qua the same before the

trial Court. He still further submits that even otherwise, a perusal of the suicide note allegedly left behind by the deceased, just reflects vague allegations against the ‘entire in-laws family’.

7. In the circumstances, the petition is allowed and the interim order dated 21.07.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
JUDGE

January 08, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No