

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

CRM-M-39542 of 2023

DATE OF DECISION :- 29.01.2024

Diljan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Munish Garg, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. On 11.08.2023, the following order was passed:-

“Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.88 dated 01.3.2023, under Section 306 IPC read with Section 34 IPC, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner submits that the petitioner's son was engaged with the deceased on 08.3.2022 and thereafter within one month petitioner's son went to Canada for studies and subsequently, blocked the deceased on his telephone/mobile. It is admitted that the petitioner and his family had borrowed Rs.14,00,000/- (Rupees Fourteen lakhs only) from the deceased and her family to send the son of the petitioner abroad for studies. It is submitted that out of the said amount, Rs.8,00,000/- (rupees eight lakhs only) has already been returned to the complainant family. The complainant is the brother of the deceased. Learned counsel submits that thereafter, the petitioner had filed civil suit for prohibitory injunction restraining the defendants (complainant

family) from recovering any amount from the plaintiff (father-in-law of the deceased/petitioner herein) forcibly, illegally and without due course of law and for harassing the petitioner and his family. It is stated that when the deceased and her family received the summons with regard to the said civil suit, the deceased went into depression and committed suicide on 01.3.2023.

Notice of motion for 08.12.2023.

Learned counsel for the State accepts notice and submits that suicide note (Annexure P-6) has been left by the deceased, as per which, direct serious allegations have been levelled against the petitioner and his family.

Learned counsel for the petitioner submits that the petitioner is ready to join the investigation and undertakes to cooperate the same.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join and co-operate in the investigation.

Learned State counsel is directed to file detailed status report in the matter on or before the date fixed.”

2. Learned State counsel on instructions from SI Maggar Singh has stated that pursuant to the order dated 11.08.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. Learned counsel for the complainant has opposed the prayer of grant of anticipatory bail to the petitioner.

4. In view of above, the interim order dated 11.08.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6.

Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7.

Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

29.01.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No