

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

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CRM -M -37804-2024

Date of Decision : **August 09, 2024**

JAGSIR SINGH @ JAGGI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. P.K.Garg, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner prays for grant of regular bail in case FIR No.28 dated 7.6.2024, Under Sections 306/34 IPC, registered at Police Station Dharamgarh, District Sangrur.

2. The backbone for registration of the instant FIR (supra) is constituted by the suicide note of Jaspreet Singh (since deceased). The allegations levelled in the instant FIR, are that the deceased had to recover some money from Jagsir Singh @ Jaggi (present petitioner) and Vicky Singh and when the deceased demanded his money from these persons, both of them threatened to kill him and did not return the said money. Owing to the

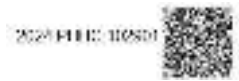
harassment caused by the petitioner and co-accused Vicky Singh, Jaspreet Singh (deceased) committed suicide by consuming *Sulphas* tablets.

3. Learned counsel for the petitioner in the asking for the relief (supra) submits that co-accused Vicky Singh has already been granted the relief of interim anticipatory bail by this Court vide order dated 11.7.2024 passed in CRM-M-30727-2024 (Annexure P-2) and the petitioner is on co-pedestal with co-accused. He further submits that there is no allegations against the petitioner that he has ever, at any point of time, abetted, induced or instigated the deceased to commit suicide. Therefore, no case under Section 306 IPC is made out against the present petitioner, as the ingredients of abetment are completely absent.

4. The learned State counsel has opposed the grant of regular bail to the petitioner, on the ground that the deceased before committing suicide has specifically made/mentioned allegations against the present petitioner and co-accused and there is a video clip in this regard. In addition, he further placed on record the custody certificate issued by DSP, District Jail, Sangrur which reflects that the petitioner has suffered incarceration of two months as on today and he is not involved in any other case.

5. On instructions imparted to him by ASI Darshan Singh, he submits that after completion of investigation, the final report has already been submitted on dated 2.8.2024 and the charges are yet to be framed. He over and above submits that the prosecutions has cited total 15 witnesses in the final report.

6. Be that as it may, considering the nature of the allegations, the days of incarceration and the fact that the petitioner is first offender, this



Court deems it fit and appropriate to enlarge the petitioner on bail. The issue whether the act and conduct of the petitioner attracts the penal provisions of Section 306 IPC, is to be decided by the learned trial Court concerned at the relevant stage, after appreciation of evidence, which is yet to be adduced by the prosecution.

7. In view of the above facts and circumstances recorded above, the present petition is **allowed**.
8. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.
9. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

August 09, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No