



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

143

CRM-M-53950-2024

DATE OF DECISION: 28.10.2024

LAKHVEER SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. T.S. Grewal, Advocate for the petitioner(s).
Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. Relief Sought

The jurisdiction of this Court under Section 482 of BNSS, 2023 has been invoked seeking anticipatory bail to the petitioner in case FIR No. 69, dated 22.09.2024, under Section 108 and 3(5) of the BNS, 2023, registered at Police Station GRP Bathinda, District Bathinda.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘Original statement: Statement of Jagwant Singh son of Atma Singh resident of near Dharamshala, village Maur Charat Singh, PS Maur, District Bathinda. Aged about 53 years, mobile no. 79738-3973. Stated that I am a resident of the above mentioned address and do the work of wage labourer. I have two sons, elder son is Manga Singh aged about 25 years and younger Sukhjinder Singh aged 22 years. My elder son Manga Singh is BA pass and a practicing Sikh and a young man. My son was doing private job at Jana Bank, Rampura, since about 2 years. since about 2 weeks, my son Manga Singh was very disturbed, he used to tell me that his seniors at Jana Bank



namely Lakhbir Singh Bhairupa, Amrik Sidhu Maisar Khana and Jagseer Singh Dhadde, harassing during duty. My son Manga Singh used to go in the field and collect installments from persons. Due to which, the said seniors used to demand pocket expenses from him and, in case my son did not do the same, then sometime they used to expel him from the job and sometimes keep him. The said seniors of Jana Bank Lakhbir Singh Bhairupa, Amrik Sidhu Maisar Khana and Jagseer Singh Dhadde excessively harassed and humiliated and, due to the same, my son was very disturbed. While being disturbed my son Manga Singh, yesterday on dated 21.09.2024, came under the train and committed suicide. On the afore-said allegations, FIR No. 69, dated 22.09.2024, under Section 108 and 3(5) of the BNS, 2023, stands registered at Police Station GRP Bathinda, District Bathinda against the accused persons.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case and there is delay of one day in lodging the instant FIR. He has further argued that in the recovered suicide note, there is no specific allegation against the petitioner which would constitute an offence under Section 108 of the BNS as the petitioner has not abetted or instigated the deceased to commit the suicide. He has drawn attention of this Court to an order dated 25.10.2024 passed by this Court in CRM-M-53586-2024 vide which co-accused namely Amrik Singh @ Amrik Sidhu has already been granted the concession of anticipatory bail and claims parity.

On behalf of the State

Mr. Jaspal Singh Guru, AAG, Punjab having been served



with an advance copy, accepts the notice on behalf of respondent-State. He, on instructions from Investigating officer, submits that in the suicide note the petitioner has been specifically named and the deceased was feeling obliged to him for getting him the job but was being insulted and humiliated on account of nature of work being performed by him.

4. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties especially considering the fact that learned State counsel has failed to provide specific allegations or instances demonstrating the petitioner's role in abetting or instigating the deceased to commit suicide added with the fact that the co-accused has already been granted concession of anticipatory bail and in the light of above discussions and facts wherein prima-facie basic ingredients of Section 108 and 3(5) of BNS, 2023 are not being made out, it would be a futile exercise to send the petitioner behind bars for custodial interrogation, as investigation can be effectively completed with his cooperation. At this stage, learned counsel for the petitioner undertakes that petitioner will join the investigation within a period of 7 days from today which would facilitate the investigation process. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail.

5. **Decision**

In view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the



Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

28.10.2024
anuradha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No