

Satish Kumar and Others Vs State of Punjab

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Oct. 8, 2013

Hon'ble Judges: Inderjit Singh, J

Bench: Single Bench

Advocate: R.S. Athwal and Mr. K.S. Dadwal, for the Appellant; Harsimrat Rai, D.A.G., for the Respondent

Judgement

Inderjit Singh, J.

This order will dispose of the above mentioned two petitions i.e. Criminal Misc. No. M-29105 of 2013 filed by

petitioners Satish Kumar and others and Criminal Misc. No. M-29539 of 2013 filed by petitioners Parkash Chand and others, seeking

anticipatory bail in case FIR No. 31 dated 07.05.2013 registered at Police Station Hariyana, District Hoshiarpur under Sections 306, 506, 120-B

IPC. Learned counsel for the petitioners contended that there is no abetment to suicide in the present case and availing of the remedy under the

law cannot be held as a ground to treat as abetment to commit suicide. He further argued that there is no specific instance of any harassment or

maltreatment given by any of the petitioners in the present case, which may be held as abetment to suicide.

2. Learned Deputy Advocate General, Punjab for the respondent-State and learned counsel for complainant opposed the bail application.

3. From the record, I find that FIR was registered on the statement of Aanchal Singh, husband of Sharda Devi petitioner. Sharda Devi filed

application for registration of case against her husband and her in-laws. The father-in-law committed suicide by leaving a suicide note. The perusal

of the record shows that as per Annexure A-1, a compromise was effected between them on 28.04.2013 wherein it was settled that Sharda Devi

will go along with her husband to her in-laws house and secondly, Aanchal Singh or any other member of his family will not give any beating or give

abuses to Sharda Devi. This second term and condition in the compromise Annexure A-1, shows that Aanchal Singh, complainant of the present

FIR and his family members agreed to not to give any beating. In the FIR recorded by Sharda Devi, it was alleged that beating was given to her on

the intervening night of 2/3.05.2013 and she was medico-legally examined and she got registered the FIR. On the intervening night of 6/7.05.2013,

father-in-law of Sharda Devi namely Birender committed suicide by naming Sharda Devi, her mother, father, brother and sister etc. i.e. (petitioner)

The petitioners have already joined the investigation. Nothing is to be recovered from them. It is still debatable whether registration of FIR amounts

to abetment to commit suicide. In the FIR, there are no specific instances to constitute abetment to suicide. The petitioners are not required for

custodial interrogation. Keeping in view the facts and circumstances of the case and without discussing the facts in minute detail and without

expressing any opinion on the merits of the present case, both the petitions are allowed. The order dated 03.09.2013 passed in CRM No. -29105

of 2013 and the order dated 06.09.2013 in CRM No. M-29539 of 2013 granting interim bail to the petitioners are made absolute.