

**In the court of Shri Jagdeep Singh Marok,
Addl. Sessions Judge-1, Ludhiana.**
(Unique Identification Code No. PB-0074)

Bail Application No.1895/2020
CNR No. PBLD01-006285-2020
Date of Order: 21.03.2020

State Vs. Vijay Kumar alias Nikku (typed as Tikku in FIR)
son of Ramdev Sahni, resident of 12816, Street
No.2-1/2, Geeta Nagar, Tajpur Road, Basti
Jodhewal, Ludhiana.

FIR No.0038 dated 04.03.2000
Under Sections 306,34 of IPC
P.S. GRP, District Ludhiana.

(Bail application under Section 438 Cr.P.C.)

Present: Sh. Paramjit Singh Gumber, Advocate for applicant.
Sh. A.S. Virk, Addl.P.P. for the State.

ORDER

Heard on the application having been moved by
applicant for grant of bail to him in view of the provisions U/s 438
Cr.P.C. in the above referred case.

2. In the application, it has been claimed that the
applicant has been falsely implicated in this case. No offence has
been committed by the applicant as alleged in the FIR. There is no
interaction between the applicant and deceased family. Even the

family of the complainant does not know the correct name of the applicant. The name of the applicant has not been mentioned in the alleged suicide note. The applicant intends to join the investigation but is facing the apprehension of his arrest at the hands of the police. The applicant may be granted the concession of anticipatory bail.

3. Pursuant to the notice given to the State, police record produced. Sh. A.S. Virk Addl. PP for the State appeared and contested the claim of the applicant with the plea that the allegations levelled against the applicant are serious in nature. So, ultimate plea is that the applicant may not be granted the concession of anticipatory bail.

4. I have given thoughtful consideration to the respective submissions of both sides and also gone through the documents on the file.

5. The allegations levelled by the prosecution against the persons involved in this case are that they were instrumental in harassing deceased Manpreet Singh. Much stress has been laid by learned counsel for the applicant that the name of the applicant has not been specified in the suicide note of deceased Manpreet Singh which has been taken into police possession. There is no denying the fact that the applicant is one of the relatives of Manpreet Singh deceased's wife namely Sakshi Rani and the cumulative allegations in the version of the prosecution against these persons are that they

in association with each other were bent upon to harass the deceased Manpreet Singh which ultimately had led the deceased to take extreme step to end his life. The applicant is having rival contentions. Investigation in this case is pending and during the course of investigation police would be able to arrive at a conclusion regarding the liability of the applicant. So, the custodial interrogation of the applicant is required in this case. Reliance can be placed on the observations made in **Avtar Singh Vs. State of Haryana, 2006 (2) RCR (Criminal), 152** wherein it was laid down that a few factors are required to be taken into consideration while considering the grant of concession of bail and such points are as under:-

- 1) Gravity or the seriousness of the offences complained.
- 2) Proposed charges that are likely to be leveled.
- 3) Possibility of the applicant's presence not being secured at the trial.
- 4) Reasonable apprehension that the accused would tamper with the evidence.
- 5) Public interest and the interest of the State.
- 6) Interrogation of an individual, clothed with a protective shield of interim protection, is qualitatively less effective than a custodial interrogation.

So, applying these considerations and keeping in view the facts and circumstances of the case, this court is constrained to hold that applicant does not deserve the concession of bail. Thus, the application in this regard moved by the applicant is without any substance and the same is, hereby, dismissed, without expressing any opinion on the merits of the case. Police record be returned forthwith. File be consigned to the record room.

Pronounced;
Dt; 21.03.2020

Ajay Sarin, SG/II

(Jagdeep Singh Marok)
Addl. Sessions Judge-1,
Ludhiana (UID No.PB 0074)