

LAL CHAND ALIAS LALLY VS STATE OF PUNJAB etc.

Present: Sh.Rinku Chumber Advocate for the applicants/ accused
(Through VC/ whatsapp).
Sh. Sachin Azad, Addl. PP for the State.
Sh. Inderjit Singh Aujla Advocate for the
complainant(Through VC/ whatsapp)

1. Police record received.
2. Heard on bail application filed under section 439 Cr.pc by applicant/accused Lal Chand @ Lally son of Surinder Pal and Ajay Kumar @ Rubi son of Surinder Pal in FIR No. 35 dated 05.03.2021 under section 306/34 IPC PS Goraya Jalandhar.
3. On 05.03.2021, Raj Kumari- complainant made statement to the police to the effect that she was present at her in laws village Hussainpur and received a telephonic call from her sister Manjit Kaur that their brother Kehar Chand has taken some poisonous medicine and also given such poisonous medicine to his son Ekam aged about 9 years and daughter Prabhjot aged about 11 years. They have been taken to DMC Hospital Ludhiana. She went there. Kehar Chand and his children Ekam and Prabhjot died. Kehar Chand had a minor dispute with his wife Rimpny @ Mona about 1 ½ month back and she had gone to her parental house. Compromise was got effected on 31.01.2021. Kehar Chand had gone to take Rimpny @ Mona on 01.02.2021 as per compromise but she refused to accompany him and he was insulted. Mona threatened to see him in court and Kehar Chand could not tolerate this. Today I.e on 05.03.2021 at about 11 AM , due to harassmt given by Rimpny @ Mona , he has killed his children and thereafter himself also by taking poison. Action be taken. On

the basis of this statement, FIR was registered against Rimpdy @ Mona. During the course of investigation, video recording done by Kehar chand prior to his death , in his mobile phone, was produced by complainant Raj Kumari. She suffered supplementary statement also. Thereafter vide rapat number 27 dated 06.03.2021, Gurmito @ Guddi , Surinder Pal @ Sindu , Usha Rani , Lal Chand @ Lali , Ajay Kumar @ Ruby (applicants/accused) , Rakesh Kumar @ Rinku , Sukhdev Ram @ Sukha ,were nominated as co accused being involved in harassing Kehar Chand and forcing him to commit suicide.

4. Sh. Rinku Chumber Advocate has argued that applicants/accused are innocent. They are not named in the FIR. They have been wrongly nominated as accused later-on on the basis of some video recording of the deceased, genuineness of which is yet to be ascertained. They have no concern with the matrimonial dispute of Kehar Chand deceased and his wife Rimpdy. They are in custody since long. No specific role has been attributed to them. They should be granted bail.

5. On the other hand, Sh. Inderjit Singh Aujla Advocate for the complainant assisted by Ld. APP for the state opposed the bail application and has argued for dismissal of the same.

6. I have considered the respective submissions and have gone through the police record.

7. As per allegations, Kehar Chand gave poison to his two minor children and thereafter himself also took poison and as a result thereof all three died. Prior to that, he made video recording in his mobile

phone explaining the circumstances , whereby he was forced to take the extreme step of not only ending his own life but of his two innocent minor children also. He specifically named applicants/accused Lal Chand @ Lally and Ajay Kumar @ Ruby , to be involved in harassing him , whereupon he was forced to take the said step. Three innocent human lives were lost. Bail application of similarly placed co accused Sukhdev Ram @ Sukha has already been dismissed by this court. So, considering the seriousness of the matter and the totality of facts and naming of the applicants/accused by the deceased , just prior to his death, applicants/accused are found not entitled to the relief of anticipatory bail. As such, bail application is dismissed. File be consigned to the Record Room.

Date of Order: 29.04.2021
*Dimple khosla**

(Khem Karan Goyal)
Addl.District and Sessions Judge-VI
UID NO . PB00117