

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

CRM-M No. 1255 of 2015 (O&M)
Date of decision: 16.02.2015

Hakam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjiv Pabbi, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Balraj Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.159, dated 27.09.2014, registered under Sections 306 and 34 IPC, at Police Station Ghall Khurd, District Ferozepur.

The learned counsel contends that there is no proof of death of Baljeet Singh, the son of the complainant, therefore, Section 306 IPC is not made out. The main accused Sandeep and Jaswinder Kaur have already been enlarged on bail. The petitioner is the father in-law of Sandeep and being a relative, he has been falsely implicated in the instant case. In pursuance of the order dated

14.01.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the dead body of Baljeet has still not been recovered. However, she states that in pursuance of the order passed by this Court, the petitioner has joined the investigation.

The four persons namely, Sandeep, his wife Jaswinder Kaur, brother of the complainant Gurmukh Singh @ Laddu and the present petitioner have been named in the FIR. However, considering the fact that the dead body has still not been recovered and the co-accused have already been enlarged on bail, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 14.01.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

16.02.2015

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(JITENDRA CHAUHAN)
JUDGE