

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

Crl. Misc. No.M-32517 of 2015

Date of Decision: 23.09.2015

Seera Singh

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. H.S. Batth, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.86 dated 10.07.2015 registered under Sections 307, 498-A/34 IPC at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner submits that all the allegations have been levelled against husband of the complainant and the only allegation against the present petitioner, who is father-in-law of the complainant, is that he caught hold of the complainant and poison was administered by her husband. Learned counsel also submits that as per statements of brother and sister of the complainant recorded by the police, the name of the present petitioner has not been mentioned. Learned counsel also submits that the main accused has been arrested in the case

and nothing is to be recovered from the petitioner.

Heard the arguments of learned counsel for the petitioner and have also perused the allegations as well as statements recorded by the police under Section 161 Cr.P.C.

On perusal of allegations in the FIR, specific allegations are not only against main accused, namely, Harwinder Singh but against the present petitioner, who is father-in-law of the complainant. The petitioner caught hold of the complainant from her head and co-accused, namely, Harwinder Singh administered pesticide in her mouth just to kill her. It cannot be said to be a case of false implication, as per allegations in the FIR as it is also mentioned therein that she was saved by her mother-in-law and nothing has been said regarding other family members including mother-in-law.

No ground is made out to grant anticipatory bail to the petitioner keeping in view the specific allegations and role of the present petitioner.

The petition is accordingly dismissed.

However, in case, the petitioner surrenders before the trial Court and files an application for regular bail, the same be decided in accordance with law within a period of two weeks thereafter.

23.09.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE