

CRM-M No. 23515 of 2016

::1::

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

CRM-M No. 23515 of 2016
Date of decision : July 22, 2016

Amandeep Singh

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Akshay Kumar Goel, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. PS Ahluwalia, Advocate
for the complainant.

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR

No.137, dated 27.6.2016, registered under Sections 306/34 of the IPC, at

Police Station Sadar Dhuri, District Sangrur.

As per the allegations in the FIR, the complainant had stated that the co-sharers in the land were not allowing her son to take his turn on the motor and earlier also they used to stop him from doing so. This happened again on the fateful day; they abused and thwarted him and on that he came back at home and due to depression he took insecticide and ultimately died.

Counsel for the complainant has pointed out that in this case the police has constantly been helping the petitioner and his co-accused and as a matter of fact, it is only with the intervention of the Sessions Judge that a highly incriminating CD was taken by the police and as per that recording, it is actually a case of murder. Learned Addl. AG Punjab, on instructions from ASI Vikramjit Singh, has accepted this fact and states that the said CD has been sent to the FSL for analysis.

Counsel for the petitioner has made and what appears to me a fair offer. He has prayed that the petitioner should be granted interim anticipatory bail and he be allowed to join the investigation and in case the report of the FSL comes to the effect that the CD is genuine, then interim anticipatory bail can be cancelled by the Investigating Officer himself.

Counsel for the complainant has, however, argued that on the basis of this CD, regular bail to the co-accused has also been rejected.

Be that as it may, I find merit in the assertion of counsel for the petitioner. In the circumstances, this petition is disposed of and the petitioner is directed to appear before the Investigating Officer on 29.7.2016 to join the investigation, who shall release him on interim anticipatory bail to his satisfaction. In case the FSL report received is to the effect that the CD is genuine, the Investigating Officer would be entitled to discontinue the order of interim anticipatory bail.

The prosecution is directed to expedite the analysis of the said CD.

July 22, 2016
`kk'

(AJAY TEWARI)
JUDGE