

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

CRM-M No.23785 of 2016
Date of decision: 5th September, 2016

Gulab Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ashok K. Khunger, Advocate for the petitioners.

Mr. C.S. Brar, Dy. Advocate General, Punjab
for the respondent/State.

Mr. S.P.S. Tinna, Advocate
for the complainant to assist the State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioners Gulab Singh, Jagga Singh and Tehal Singh in this anticipatory bail application under Section 438 Cr.P.C. are that about 15 days prior to 03.05.2016 Amandeep Singh and Ramandeep Kaur residents of the village of petitioners eloped and underwent marriage against the wishes of their respective families and it is as a sequel to this, on 03.05.2016 it is alleged by the complainant Gora Singh alias Gorkha that the villagers on coming to know of this incident had burnt the effigy of the boy Amandeep Singh and also made obscene gestures at their house as a consequence of which father of the boy namely Natha Singh consumed poison and died.

Contentions of the petitioners' counsel that a bare perusal of the allegations does not bear out the element of instigation/abetment

which could not be factually refuted either by the learned State counsel or by learned counsel representing the complainant.

Keeping in view the same and the fact that culpability if any shall be determined at the trial impels this Court to allow the petition. Thus, in the event of arrest, petitioners are ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). They shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, the petitioners will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

September 5, 2016

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No