

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

**CRM-M No.44328 of 2015 (O&M)
Date of Decision: 27.01.2016**

Roop Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mrs. Baljit Mann, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by HC Joginder Singh.

Mr. Rajesh Kumar Girdhar, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present 2nd petition is for grant of anticipatory bail under Section 438 Cr.P.C. on behalf of the petitioner-Roop Singh pursuant to the summoning order dated 06.08.2015, passed by learned Magistrate under Section 190 Cr.P.C. on consideration of the challan in FIR No.276 dated 01.12.2007 for the offences punishable under Sections 302, 120-B of the Indian Penal Code, registered with Police Station City, Sri Muktsar Sahib.

On the previous date of hearing i.e. 06.01.2016, the following contentions, as extracted below, were noticed:-

“ It is averred that the aforesaid couple Joginder Singh and Surjit Kaur during their lifetime had adopted accused Kulwinder Singh who is the nephew (Bhanja) of the petitioner Roop Singh. The other named accused are the natural parents of Kulwinder Singh, namely mother Jaspal Kaur and father Angrej Singh. The other named accused are wife of Kulwinder Singh namely Gurjit Kaur and his friend Gurpreet Singh. Since the post mortem report of Surjit Kaur deceased showed a fracture of the right arm and cause of death is poisoning, upon due investigation, the investigating agencies filed a challan only against Kulwinder Singh his wife Gurjit Kaur with whom the deceased Surjit Kaur admittedly residing. Rest of the named accused including the petitioners were put in column no.2. However, at the time of consideration of the challan, the other named accused have been summoned to face trial.

It is contended that the petitioner who is the maternal uncle of Kulwinder Singh has absolutely nothing to do with the affairs of his nephew. The petitioner is concededly a resident of different village. It is further submitted that petitioner after due investigation was found innocent and as such nothing is to be recovered from him. ”

Learned Counsel for the petitioner submits that pursuant to the interim directions on the previous date of hearing, the petitioner had surrendered before the trial Court and has been granted interim bail, vide order dated 11.01.2016. She further submits that the petitioner is ready and willing to face trial.

Learned State Counsel, assisted by HC Joginder Singh, does not refute the aforesaid submission.

In view of the above, interim bail granted by the trial Court, pursuant to order dated 06.01.2016 passed by this Court, is confirmed.

Disposed of.

January 27, 2016
Gagan

(JASWANT SINGH)
JUDGE