

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

CRM-M-10589 of 2016

Date of Decision: April 18, 2017

Gurpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Subhash Kumar, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C are that the petitioner along with his brother Gurdial Singh and father Malkiat Singh non-applicants were instrumental in disappearance of sister of complainant Mohan Singh.

As has been contended by learned counsel for the petitioner the marriage has taken place in the year 1992 and after almost 23 years of marriage it is highly implausible to hold that the husband and the sons of Iqbal Kaur would have any grudge in doing away with the sister of the complainant.

Learned State counsel has sought to oppose the grant of anticipatory bail on the ground that the custodial interrogation of the petitioner is essential.

Appreciating the submissions, admittedly co-accused/non-applicant husband has been arrested and released on bail and on the asking of the Court learned State counsel was totally unable to bring forth before the Court anything tangible by way of evidence against the petitioner. The petitioner is a young boy and his joining investigation would suffice the purpose and it would be travesty of justice to send the petitioner behind the bars. Thus, the present application stands allowed. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he will abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

April 18, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No