

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

**CRM-M-19698-2016
Date of decision-10.01.2017**

**Satnam Singh
Vs.
Kuldip Kaur**

...Petitioner

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. P.B.S.Goraya, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in Complaint No.22/CIS no.COMI/0000101/2013 dated 21.09.2015 titled as “Kulwinder Kaur Vs. Nishan Singh and other”, registered under Sections 302, 148, 149 and 120-B of Indian Penal Code (in short 'IPC') pending in the Court of learned Judicial Magistrate First Class, Tarn Taran.

On 01.06.2016, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail to the petitioner in Complaint Case No.22/CIS No.COMI/0000101/2013 titled as Kulwinder Kaur Vs. Nishan Singh and Ors. under Sections 302, 148, 149, 120-B of Indian Penal Code pending in the court of Ld. JMFC, Tarn Taran.

The allegations of the complainant Kulwinder Kaur are that his brother Sahib Singh was forcibly administered poisonous substance by five accused including the petitioner.

It is contended that as per the first version of the complainant her brother Saheb Singh was a drug addict

and no foul play was found in the inquest proceedings and thus no FIR was registered. After a delay of almost one year, the complainant with an ulterior motive has proceeded to file the aforesaid complaint.

Notice of motion for 30.08.2016.

In the event of the petitioner surrendering before the learned trial Court/duty Magistrate within 10 days from today, he shall be released on interim bail subject to the satisfaction of the learned trial Court/duty Magistrate.”

It is contended that in pursuance of the order dated 01.06.2016, the petitioner had surrendered before the learned trial Court and was admitted to interim bail. The learned State counsel, submits that custodial interrogation of the petitioner is not required. Otherwise also the complainant had made a statement that her brother was a drug addict and no plea regarding foul play was raised by her. The death took place on 16.02.2011 whereas the FIR/complaint was registered on 21.09.2011

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

January 10, 2017
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No