

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

CRM No.M-28412 of 2017 (O&M)

Date of Decision: August 16, 2017

Barjinder Singh and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Hardip Singh, Advocate,
for the petitioners.

Mr.Gaurav Garg Dhuriwala, Sr.DAG, Punjab
for the respondent-State.

Mr.Simranjeet Singh, Advocate
for respondent No.2.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.121 dated 30.09.21013 under
Sections 302 and 120-B IPC, registered at Police Station Anandpur Sahib
District Rupnagar.

Notice of motion was issued. Learned State counsel appeared
and contested the petition.

I have heard learned counsel for the petitioners as well as
learned State counsel and have gone through the record.

From the record, I find that in the present case, FIR was

registered but the police filed cancellation report. Then, the Court below has summoned the petitioners to face trial. As per the allegations, the complainant's son Kulwinder Singh died due to consumption of poison. In the present case, DDR was registered under Section 174-A IPC on 16.10.2012. After receiving report from the Chemical Examiner, wherein it is mentioned that 'Organophosphorus compound pesticides detected', FIR was registered, which after investigation was filed as untraced.

Only role of connivance is alleged against the present petitioners. Motive has been alleged against the co-accused Sarabjit Singh. The petitioners are not required for custodial interrogation or investigation. They are only to face trial before the Court.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of anticipatory bail. Therefore, present petition is allowed. The petitioners are directed to appear before the trial Court within fifteen days and on doing so, they shall be released on bail by the trial Court to its satisfaction.

August 16, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No