

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-40800 of 2017

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Date of decision:9.11.2017

Kulwinder Kaur and another

.....Petitioners

v.

State of Punjab

.....Respondent

....

Present: Mr. M.S. Bal, Advocate for the petitioners.

Ms. Simranjeet Kaur, Assistant Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.141 dated 30.7.2017 registered for the offences under Sections 302 and 34 IPC at Police Station Sadar Tarn Taran, District Tarn Taran.

Notice of motion has been issued in this case.

Ms. Simranjeet Kaur, learned Assistant Advocate General, Punjab, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that in the present case, the occurrence took place on 23.11.2015 and DDR has been got registered on 24.11.2015 by the present complainant Jashanbir Singh, who stated that his father used

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to remain ill and used to go away from house without telling anyone and his father died suddenly due to natural death. No injury had been mentioned in the post-mortem examination report nor anything came to light in the inquest report that death was unnatural. The viscera was sent and no poison was found in the viscera also.

Now, after about two years, the present FIR has been got registered by same complainant, who got recorded the DDR i.e. Jashanbir Singh son of the deceased by levelling allegations against the present petitioners and co-accused that they kidnapped his father and killed him. The petitioners are not required for custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioners shall be admitted to bail on their furnishing personal bonds and surety each to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 9, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No