

Criminal Misc. No. M- 4257 of 2017 (O&M)

Date of decision : September 15, 2017

Deepak Kapoor

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Kamal Chaudhary, Advocate for
Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Devinder Bir Singh, DAG, Punjab.

Mr. Ashish Gupta, Advocate for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 174 dated 02.10.2016 under Section 306 IPC registered at Police Station Division -C, Amritsar.

Contentions on behalf of the petitioner noted on 22.02.2017 read as under:-

“ Counsel for the petitioner would submit that the petitioner performed marriage with the deceased on 18.4.2014 as his earlier wife Arti died leaving behind 8 years old son. It is further submitted that in the FIR lodged at the instance of mother of the victim, there is no allegation qua demand of dowry nor it has been specifically mentioned as to how the victim was being harassed. In addition, it is submitted that the victim was residing at her parental house since 11.2.2016. She filed proceedings for maintenance pending in the court at Amritsar but in between on 1.10.2016 she committed suicide by hanging during her stay in the parental home. Further argued that no recovery is to be effected from the petitioner and he is ready to join investigation and co-operate throughout.”

It is submitted that the petitioner has since joined investigation. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Sarabjit Singh, informs that the petitioner has joined investigation. No recovery is to be effected from him. FSL report in respect to the suicide note is presently inconclusive. It is informed that further examination of the same is to be conducted after getting further relevant samples of the hand writing of the deceased.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 22.02.2017 is made absolute.

September 15, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No