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

**CRM-M-20295-2018
Date of decision-17.05.2018**

Kulwant Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 438 of the Criminal Procedure Code (in short 'Cr.P.C') has been filed for grant of anticipatory bail to the petitioner in FIR No.149 dated 18.08.2017 registered under Section 306 read with Section 34 of Indian Penal Code at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner contends that during the investigation, no incriminating evidence could be collected against the petitioner. Now the petitioner has been summoned under Section 193 of Cr.P.C.

Notice of motion.

At the asking of the Court, Ms. Monica Chhiber Sharma, Sr.DAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

At this stage, Mr. G.S.Simble, Advocate causes representation on behalf of complainant and states that exoneration of the petitioner is based on the record that father of the deceased, namely, Jagtar Singh made a statement that his daughter had taken poison inadvertently which is allegedly signed by grandfather and father of the deceased whereas, the grandfather was already dead.

Heard.

This is the second bail petition. Vide order dated 15.11.2017, the first bail petition of the petitioner was dismissed as withdrawn. The co-accused, namely, Sukhraj Kaur has been allowed interim bail. At this stage, Court is not inclined to go into the factual aspect of the matter. Considering the fact that the petitioner did not surrender to the jurisdiction of the Court and has been successfully evading the process of the Court, no case for anticipatory bail is made out at this stage.

However, considering the fact that as per assertion, no incriminating evidence could be collected against the petitioner, therefore, it is ordered that in case the petitioner surrenders before the trial Court within a period of ten days from today, his bail application be considered and decided expeditiously by the Court of competent jurisdiction.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

17.05.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No