

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.No.M-38753 of 2017 (O&M)
Date of decision : 25.04.2018

Nishan Singh

... Petitioner

Versus

Kuldeep Kaur and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. V.G.Jauhar, Senior DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of anticipatory bail in complaint case No.22/CIS No.COMI/0000101/2013 dated 21.09.2015 titled as Kuldeep Kaur vs. Nishan Singh and others, under Sections 302, 148, 149, 120-B IPC, pending in the court of Judicial Magistrate Ist Class, Tarn Taran.

Earlier, only the DDR No.25 dated 16.02.2010 was registered at Police Station Sarhali, District Tarn Taran with regard to the death of Sahib Singh son of Jarnail Singh, who is brother of the complainant. In the said DDR, it is mentioned that he was habitual of consuming poppy husk and he died due to excessive use thereof. But after postmortem examination viscera was sent to Chemical Examiner who opined that it contained contents of poisonous substance. Thereafter, the complainant filed a criminal complaint alleging therein that in his presence, her brother was murdered by putting poisonous substances in his mouth.

The co-accused Satnam Singh, Sadhu Singh etc. have already been granted anticipatory bail by this Court. The petitioner is not required for custodial interrogation.

Keeping in view the facts and circumstances of the case, this Court is of the considered opinion that the petitioner is entitled to bail on the ground of parity.

Resultantly, the interim order dated 23.10.2017 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

Accordingly, the instant petition stands allowed.

25.04.2018

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**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No