

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 25.10.2018

1. CRM-M-41395-2018

Savita

.. Petitioner

Vs.

Suresh Kumar

..Respondent

2. CRM-M-42530-2018

Babli and another

.. Petitioners

Vs.

Suresh Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.K. Yadav, Advocate
for the petitioner(s).

Mr. Manoj K. Tanwar, Advocate
for the respondent.

...

Inderjit Singh, J.

This order shall dispose of CRM-M-41395-2018, filed by petitioner-Savita and CRM-M-42530-2018, filed by petitioners-Babli and Parmod, under Section 438 Cr.P.C. for grant of anticipatory bail in complaint case bearing No.33 of 24.08.2015 titled as “Suresh Kumar Vs. Babli and others” pending in the Court of learned JMIC, Narnaul (as the petitioners have been summoned in the said complaint case vide order dated 29.08.2018 under Sections 302/120-B of IPC).

Notice of motion was issued in both these petitions.

Learned counsel for the respondent has put in appearance and contested these petitions.

I have heard learned counsel for the petitioner(s) as well as

learned counsel for the respondent and have gone through the record.

From the record, I find that the present case is a complaint case. The proceedings under Section 174 Cr.P.C. were conducted at the time of death of husband of petitioner-Babli and the statement of father of the deceased was also recorded then, wherein he stated that the deceased has consumed something poisonous himself and no further action was taken by the police. Now, the mother of the deceased has filed this complaint by stating that the poisonous substance had been got administered by the accused/petitioners.

The petitioners have already surrendered before the trial Court in compliance with interim orders dated 20.09.2018 and 27.09.2018 passed by this Court and have have been released on interim bail.

The petitioners are not required for any investigation or interrogation purposes as they are only to face the trial. No useful purpose would be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that trial of the case will take a long time and no useful purpose will be served by sending them to custody. Therefore, finding merit in these petitions, the same are allowed. The orders dated 20.09.2018 and 27.09.2018, granting interim bail to the petitioners, are made absolute.

25.10.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE