

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

CRM No.M-44298 of 2018 (O&M)

Date of Decision: October 29, 2018

Harpal Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Jupinder Pal Singh Brar, Advocate
for the petitioners.

Mr.Pawan Sharda, Sr.DAG, Punjab
for the respondent-State.

Mr.A.P.S.Sidhu, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.91 dated 25.08.2018 under Sections 306 and 34 IPC, registered at Police Station GRP, District Bathinda.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

As per the allegations in the FIR, complainant's son namely

matrimonial dispute arose between them and Jaswinder Kaur left the matrimonial house in 2015. After that, Bikramjit Singh filed divorce petition whereas Jaswinder Kaur filed petition for maintenance. As per the allegations in the FIR, after tendering hearing in the case, Harpal Singh caught hold collar of Bikramjit Singh and Manvinder Kaur and Jaswinder Kaur gave slaps to Bikramjit Singh, who later on committed suicide by jumping before the train. Manvinder Kaur is sister of Jaswinder Kaur and Harpal Singh is husband of Manvinder Kaur. There is no suicide note in the present case.

The petitioners are not required for custodial interrogation. Nothing is to be recovered from them. No useful purpose will be served by sending them 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 find merit in the present petition and the same is allowed. It is ordered that in the event of arrest, the petitioners be released on bail subject to their furnishing personal bonds and surety each to the satisfaction of Arresting/Investigating Officer. However, they shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

October 29, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No