

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

**CRM-M-8291-2018
Date of decision:24.07.2018**

Raj Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Karandeep Singh Sidhu, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab
assisted by SI Malkiat Singh.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of anticipatory bail in respect of FIR No.121 dated 29.12.2017 for offences under Sections 302/34 of Indian Penal Code, 1860 registered with Police Station Sadar Malout, District Muktsar Sahib.

The present FIR was lodged at the instance of Gurdeep Kaur mother of the deceased, who had stated that her son Bhinder Singh @ Doga was married to Sukhjot Kaur about 11 years back and 2 children were born out of the wedlock. It is alleged that on 24.12.2017 a quarrel took place between her son and his wife and thereafter she made phone

call to her parental home, and Manga Singh & Mita Singh who are brothers-in-law of her son came and took away Sukhjit Kaur and her children. It is further alleged that on 28.12.2017 Bhinder Singh went to his in-laws house to bring his wife back. It is further alleged that on 28.12.2017 Manga Singh, Mita Singh, Khalsa and Moti came to her house at about 8:30 p.m. and dropped her son Bhinder Singh. It is alleged that the aforesaid four persons had caught Bhinder Singh from his arm and when she inquired from her son as to what had happened to him he disclosed that he had been given severe beatings by the aforesaid four persons. It is further alleged that on the next morning when she tried to wake up her son, he could not speak and she found that he had died. The complainant alleged that her son died due to beatings and internal injuries inflicted by Manga Singh, Mita Singh, Khalsa and Moti.

Notice of this petition had been issued to the State. The petitioner had also been directed to join investigation vide order dated 19.03.2018.

It has been informed by learned State counsel that the post-mortem did not reveal any external or internal injuries and that cause of death had been found to be due to presence of '*Aluminum Phosphide*' upon viscera examination. It has further been informed upon instructions from SI Malkiat Singh that the petitioner has joined investigation pursuant to the interim directions issued by this Court and he is no longer required for further investigation/custodial interrogation.

Having regard to the facts and circumstances of the case and bearing in mind that the allegations made in the FIR regarding cause of

death are stated to be beatings, whereas no injury is stated to have been found during the course of post-mortem examination, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such is accepted and the interim directions issued vide order dated 19.03.2018 are hereby made absolute subject to the condition that the petitioner would appear before the learned trial Court regularly and abides by the any other condition as may be imposed by the learned trial Court.

The petition is accepted in the abovementioned terms.

(GURVINDER SINGH GILL)
JUDGE

24.07.2018
Gaurav Sorot

Whether reportable?	Yes / No
Whether reasoned / speaking?	Yes / No