

**In the High Court for the States of Punjab and Haryana  
at Chandigarh**

**210**

**CRM-M No.2185 of 2019  
Date of Decision:03.04.2019**

**Meedan and another**

**....Petitioners**

**Vs.**

**State of Punjab**

**....Respondent**

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

**Present:** Mr. Vipin Mahajan, Advocate  
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

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**GURVINDER SINGH GILL.J. (Oral)**

Petitioners seeks grant of Anticipatory bail in respect of a case registered vide FIR No.113 dated 04.10.2018 under Sections 306 IPC Police Station Sadar, Gurdaspur District Gurdaspur, Punjab.

The FIR was registered at the instance of Sunita wherein she has alleged that she has two brothers namely Balwinder Masih and Narender Masih and that on 01.10.2018 his brother Balwinder Masih called her over the phone and said that he wishes to disclose something to her personally and later at about 10:00 a.m. her brother came to her house and told her that in the FIR registered against her and her brother under Sections 452, 323, 325, 148, and 149 IPC, at the instance of Meedan, the offences under Sections 452, 325 and 148 IPC had been deleted and a cancellation report had been filed but

the complainant Meedan filed a protest petition which was pending and because of the said reason he (Balwinder Masih) was under depression as Meedan, her son Manga Masih and her grandson Vishal have been threatening to get his family convicted. It is further alleged that complainant's brother (Balwinder Masih) further told her that Manjit Singh also threatened him to see him in the Court.

It is further alleged that about two days back when Balwinder Masih was returning back to his home then Jasbir Singh, Gurdeep Singh gave threats to him that they would settle score with him. It is further alleged that thereafter his brother Balwinder Masih went back to his house in Gurdaspur and later complainant being disturbed as her brother was upset went to his house. Balwinder Masih told the complainant to take food and went out of the house and subsequently she came to know that her brother had fallen on the kacha passage. Balwinder Masih was taken to hospital but he expired on 04.10.2018 on account of having consumed some poison. It is alleged that Meedan and her son Manga Masih were been demanding an amount of Rs. 9 lakhs for compromising the matter due to which Balwinder Masih was upset.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that in any case the deceased might have been under some kind of tension on account of pendency of a case and being hyper-sensitive might have committed suicide, but the petitioner cannot be said to have abetted the same as they

were pursuing legal remedies by having lodged an FIR pertaining to the injuries caused to the petitioners. It has further been submitted that petitioner-Meedan is an old lady aged about 71 years and that in these circumstance, she in any case deserves the concession of anticipatory bail.

Learned counsel further submitted that as regards petitioner No.2 Vishal there is no specific allegation against him that he ever demanded an amount of Rs. 9 lakhs or that deceased had committed suicide on account of any specific abetment on his part.

Opposing the petition learned State counsel has submitted that since the petitioners are specifically named in the FIR and there are specific allegations to the effect that the deceased was under depression on account of the fact that the petitioners had held threats to get the family of the deceased convicted, no special case for grant of anticipatory bail is made out.

I have considered the rival submissions addressed before this Court. Bearing in mind the nature of allegations, wherein I find that petitioner-Meedan had lodged FIR pertaining to some injuries having been caused to her and that the allegations prima facie have been found to be substantiated during the course of the investigation and while also bearing in mind that she is an old lady aged about 71 years, in my opinion it is not as case warranting her custodial interrogation. As far as petitioner No.2 is concerned, he is a boy aged about 20 years and even in FIR specific

allegations regarding demand of Rs. 9 lakhs have not been levelled against him. As such a case is made for grant of anticipatory bail to petitioner No.2 as well.

The petition, as such, is accepted and interim directions issued vide order dated 18.01.2019 are made absolute subject to the condition that the petitioners shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

03.04.2019

Ali

(Gurvinder Singh Gill)  
Judge

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No