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

C.R.M-M No.7933 of 2019

Date of Decision : 01.03.2019

Kulwinder Kaur Mahant

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Prashant Vashisth, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.225 dated 17.11.2018 registered under Sections 306, 120-B IPC at Police Station Daresi, Ludhiana City.

Counsel for the petitioner has argued that as per the allegation in the FIR the wife of the deceased alongwith the petitioner and other family members of the wife had beaten the deceased and that is why he committed suicide. He has argued that firstly the whole occurrence is denied and secondly there is no allegation that the alleged beating was given to force the deceased to commit suicide.

Learned Deputy Advocate General on instructions from H.C.

Baljit Singh has argued that the petitioner was specifically named in the

suicide note. She has informed the court that the wife is in custody. She has further stated that the petitioner is not related to that family but he used to stay with that family.

Be that as it may, in view of the facts and circumstances of the case, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 08.03.2019 and on any other date as and when his presence is required. In case the petitioner does not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

March 01, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No