

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

**CRM-M No.25863 of 2018 (O&M)
Decided on: 25.03.2019**

Mohinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.S. Majithia, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. G.P.S. Bal, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-34417-2018

Prayer in this application is for impleading the complainant namely Jasbir Arora, wife of the deceased as respondent No.2.

Heard.

For the reasons stated in the application, the same is allowed and Jasbir Arora is ordered to be impleaded as respondent No.2.

Amended Memo of Parties is taken on record.

CRM-M-25863-2018 (O&M)

The petitioner prays for grant of anticipatory bail in FIR No.289 dated 03.10.2017, registered under Section 306 IPC at Police Station A-Division, Police Commissionerate Amritsar.

The operative part of the order dated 13.06.2018, vide which interim anticipatory bail has been granted to the petitioner, is

reproduced as under:-

“...Counsel for the petitioners submits that sister of petitioner-Gurinder Pal Singh, namely Parminder Kaur @ Ginni was married to Mohit Arora in the year 2013 and they had a matrimonial dispute in the year 2016. Later on, during pendency of a complaint filed by Parminder Kaur @ Ginni against her husband Mohit Arora, father-in-law Jugal Kishore Arora and mother-in-law Jasbir Arora, Mohit Arora died of cancer. Thereafter, Parminder Kaur @ Ginni filed a suit for possession regarding property left by her husband Mohit Arora and Jasbir Arora has also filed a suit for declaration and both the suits were pending before Civil Court at Amritsar.

Counsel for the petitioners further submits that Jugal Kishore Arora had committed suicide on 02.10.2017 and his body was found hanging in a canter and complainant Jasbir Arora, filed the present FIR against Parminder Kaur @ Ginni, petitioners-Gurinder Pal Singh and Mohinder Singh-maternal grand father of Parminder Kaur @ Ginni and another brother Tejinder Pal Singh @ Monu.

Counsel for the petitioners further submits that Parminder Kaur @ Ginni has already been granted concession of anticipatory bail by the Additional Sessions Judge, Amritsar, vide order dated 04.04.2018.

Counsel for the petitioners further submits that as per the FIR, there is no other allegation against the petitioners that they have abetted deceased-Jugal Kishore Arora, in a manner that he was forced to commit suicide.

Notice of motion for 10.09.2018...”

Counsel for the petitioner has submitted that, in pursuance to the order dated 13.06.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Jaspal Singh, assisted with counsel for respondent No.2/complainant has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

The learned counsel for the complainant has, however, submitted that the investigation is now pending with the Inspector General of Police and therefore, the petitioner be directed to appear before him.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.06.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C. It will be open for the Investigating officer to summon the petitioner for further investigation by giving a notice in writing.

(ARVIND SINGH SANGWAN)
JUDGE

25.03.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No