

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-27284 of 2019

Date of Decision: July 22, 2019

Dalbir Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Vaibhav Narang, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.123 dated 15.05.2019 under Section 306 and 34 IPC registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.06.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“This is a petition under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.123 dated 15.05.2019 under Sections 306 & 34 IPC, 1860, registered at Police Station Sadar Amritsar, District Police Commissionerate, Amritsar.

The deceased Karamjit Singh is the brother of Ravneet Kaur daughter-in-law of the petitioner. The allegations in the FIR are that Karamjit Singh committed suicide as the petitioner, Ravneet Kaur-sister of the deceased and her husband-Amarjit Singh used to harass the deceased for getting the share from his property. They had got registered a false case against the deceased under Sections 420, 467, 468, 471 & 120-B of Indian Penal Code at Police Station Majithia, District Amritsar. It is also alleged that the deceased told the complainant that the petitioner and the other accused had threatened him that they will get registered more false cases against him. It is alleged that fed up with the constant threat from

the petitioner and the other accused persons, the deceased committed suicide.

Learned counsel for the petitioner states that the petitioner is 67 years of age. He has no concern with the property dispute between the deceased and his sister. In any case, the ingredients of Section 306 IPC are not made out as per the allegations in the FIR.

Notice of motion for 22.07.2019.

Meanwhile, in the event of arrest, the petitioner-Dalbir Singh shall be released on interim anticipatory bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Satpal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Satpal further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 25.06.2019 is made absolute.

However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

July 22, 2019
jyoti3

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No