

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

Sr. No.101

**CRM-M-42192-2019 (O&M)**

**Date of decision : 22.11.2019**

Jagdev Singh

..... Petitioner

**VERSUS**

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL**

Present: Mr. R.S. Rai, Senior Advocate with  
Mr. Swarn Tiwana, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

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**SUDHIR MITTAL, J. (Oral)**

The petitioner seeks anticipatory bail in case FIR No.51 dated 13.5.2016, registered at Police Station Sirhind, District Fatehgarh Sahib, under Section 306 IPC (Section 34 IPC added later on).

On 18.10.2019, it had been noticed that the FIR is more than three years old and keeping in view the facts and circumstances of this case, it does not appear that the police is interested in arresting the petitioner.

Learned senior counsel appearing for the petitioner submits that initially, the police had prepared a cancellation report, which was however, not approved by the SSP concerned. The matter was referred to Special Investigation Team, which submitted a report dated 11.3.2018. The said report indicted the petitioner, however, the Director, Bureau of Investigation did not agree with the report and directed a fresh investigation through another Special Investigation Team. Report dated 3.7.2019, has now been submitted by the second Special Investigation Team, which allegedly exonerates the petitioner.

Learned State counsel on instructions from ASI-Jaswant Singh

RAMANDEEP SINGH submits that the Director, Bureau of Investigation has again not agreed with  
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authenticity of this document

the report dated 3.7.2019 and has referred the matter to the Crime Branch for further investigation. He further submits that the police is only interested in unraveling the mystery and in view of the fact that a period of more than three years has lapsed since the registration of the FIR and further the fact that the petitioner has not absconded ever, the police would not be interested in arresting him provided he continues to cooperate with the investigation as and when required.

In view of the aforementioned statement of the learned State counsel, the present petition is disposed of with a direction to the petitioner to join investigation as and when required.

It is made clear that in case the investigating agency wants to arrest the petitioner, it shall seek permission from this Court.

(SUDHIR MITTAL)  
JUDGE

22.11.2019  
Ramandeep Singh  
Whether speaking / reasoned  
Whether Reportable

Yes / No  
Yes/ No