

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

CRM-M-12253-2020 (O&M)

Date of Decision: 29.07.2020

Balwinder Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Anmol Partap Singh Mann, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G. Punjab.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No.97 dated 31.08.2019 under Sections 306 and 120-B IPC registered at Police Station Chabhal, District Tarn Taran.

While issuing of notice of motion, the following order was passed by this Court on 13.05.2020:-

“Matter has been taken up through video conferencing via WhatsApp facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No.97 dated 31.8.2019 registered under Sections 306, 120-B I.P.C at Police Station, Chabhal, District Tarn Taran (Police

Station written as “Jhabal” in the FIR).

As per prosecution version, Jagroop Kaur committed suicide on 30.8.2019 at her matrimonial home. Present petitioner happens to be the brother-in-law of the deceased.

Counsel for the petitioner submits that the deceased was married to brother of the petitioner namely Jaswant Singh more than 10 years prior in point of time. Even as per version of the complainant, who is father of the deceased there are only vague allegations leveled against all the accused i.e. the family members as regards the offence of abetment. No suicide note was either found at the spot or recovered subsequently.

It is urged that under such circumstances, custodial interrogation of the petitioner would not be warranted as he, otherwise, is ready and willing to join investigation.

Notice of motion, returnable for 29.7.2020.

On the asking of the Court, Mr. Gaurav Garg Dhuriwala learned Sr. D.A.G., Punjab, who has also joined proceedings in this WhatsApp facility, accepts notice. A complete copy of the petition already stands furnished to learned State counsel.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall

remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Om Parkash, informs the Court that the petitioner has since joined investigation and is not required for custodial interrogation.

In view of the above petition is allowed. Order dated 13.05.2020 is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

July 29, 2020
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No