

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

**CRM-M-15597-2020
Date of decision: 08.10.2020**

Harbans Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Munish Raj Chaudhary, Advocate
for the petitioner.

Mr. Sidakmeet S. Sandhu, DAG, Punjab.

Mr. Sherry K. Singla, Advocate
for respondent Nos. 2 and 3.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 68 dated 12.05.2020, registered under Sections 341, 342, 323, 420, 34 of the IPC (Section 328 IPC added later on) at Police Station Mehal Kalan, District Barnala.

On 18.06.2020, the following order was passed:

“Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. Learned counsel submits that there is unexplained delay of 5 days in registering the FIR which makes the story concocted. The versions put in the FIR and the statement dated 27.5.2020 made by his wife are contradictory, He further submits that there is no Medico Legal report of his wife. Co-accused i.e. the mother and father of the petitioner have already been granted anticipatory bail by the trial court. While granting bail to the co-accused, the trial court observed that injured Kirandeep Kaur i.e, the

wife of the petitioner has already been discharged from the hospital.

Notice of motion.

Since advance copy of the petition stands already served, Mr. Suveer Sheokhand, Addl, AG, Punjab, accepts notice on behalf of the respondent-State. He has vehemently opposed the grant of ad interim anticipatory bail to the petitioner.

List on 11.8.2020.

Without going into the merits of the case which are matter of investigation and trial, this Court upon hearing learned counsel for the parties is of the view that in this case ad interim anticipatory bail would be just and proper and will serve ends of justice as an interim arrangement pending investigation etc.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer. He shall join investigation as and when called upon to do so and he shall remain bound by the terms and conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel as well as learned counsel for respondent Nos. 2 and 3/complainant have opposed the prayer of petitioner on the ground that there are specific allegation in the FIR that on 07.05.2020, husband Harbans Singh (petitioner herein), father-in-law Harnam Singh and mother-in-law of Kirandeep Kaur were present in house and her husband by catching her from her arm forced her to lie down at floor. Thereafter, her mother-in-law caught her legs and father-in-law caught her arms and some poisonous medicine, which was already brought by her husband/petitioner, was forcibly put into her mouth, on which, she became unconscious.

Learned counsel for the complainant further submits that victim

was taken to DMC, Ludhiana, where she remained admitted under treatment from 11.05.2020 to 29.05.2020 and for a long time, she was under Coma.

Learned counsel for the complainant refers to medical record which suggests that it was a case of poisoning followed by altered Sensorium.

Learned State counsel as well as learned counsel for the complainant have argued that since there are serious allegations in the FIR against the petitioner, the interim bail granted to him be not confirmed.

Learned State counsel further submits that victim became unconscious and remained in hospital for 20 days, therefore, the delay of 05 days in registration of FIR is duly explained.

After hearing learned counsel for the parties and going through the contents of the FIR as well as medical record, without making any comment on the merits of case, I find no ground to grant concession of anticipatory bail to petitioner.

Accordingly, the present petition is dismissed.

08.10.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No