

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

**CRM-M No.17118 of 2020
Date of Decision : 05.08.2020**

Jeet Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Ms. Gurvir K. Gill, Advocate
for the Petitioners.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioners in case FIR No.0078, dated 22.06.2019, registered under Sections 306, 34 of the Indian Penal Code (for short, 'the IPC'), at Police Station Vairoke, District Fazilka.

2. Notice of motion.

3. Mr. Luvinder Sofat, Asstt. Advocate General, Haryana to accept notice on behalf of the Respondent/State. A copy of the Paper-book be handed over to him.

4. Submits *inter alia* that according to the FIR, the Complainant's husband was allegedly called in his original parental house on 11th July, 2018 in the night. Her husband thereafter is stated to have left for his parental house at about 5.30 in the morning. But two hours later the Complainant learnt that her husband was lying at a distance of 3-4

kilometers near village Surghuri. The Complainant rushed there, with her relatives, and took her husband to the Doctor at Village Chak Vairoke, from where he was advised to be taken to Sri Muktsar Sahib, but died on the way. The FIR itself states that no Suicide Note was found from the pockets of the Complainant's husband, nor there is any claim to the effect that even when he was being transported for medical treatment he made any statement or gesture indicating the reason of his death.

5. In the given circumstances, this does not appear to be a fit case to warrant custodial interrogation of the Petitioners since no direct allegations in respect of the alleged offence under Section 306 of the IPC have been made out.

6. For the above-mentioned reasons, the Petitioners' prayer for Anticipatory Bail is, thus, allowed and in the event of arrest, they are ordered to be released on bail to the satisfaction of the Arresting Officer till submission of Report under Section 173 Cr.P.C. (Challan). They shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, the Petitioners will be permitted to furnish bail bonds to the satisfaction of the Ld. Trial Court.

7. Disposed off.

August 05, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE