

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17726-2020

Date of decision August 13, 2020

MOGA SINGH AND ANOTHER
Versus

.....Petitioners

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. I.S. Dhaliwal, Advocate for the petitioners.

Mr.S.S. Deol, DAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 62, dated 29.05.2018 under Sections 304/34IPC registered at Police Station Kabarwala, District Shri Muktsar Sahib.

Learned counsel for the petitioners while referring to report of Medical Officer (Annexure P2) submits that cause of death of Kashmiro Bai is cardiopulmonary failure. In the given factual scenario, it is argued that attraction of the rigours of section 304IPC is debatable. It is further submitted that the petitioners have extended complete co-operation to the investigating agency since the registration of the FIR on 29.05.2018. They have also joined investigation pursuant to order dated 07.07.2020 passed in this case. The petitioners are not involved in any other criminal case. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from SI Rashpal Singh, verifies that the petitioners have joined investigation and their custodial

interrogation is not required. It is further affirmed that the petitioners are not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts, if afforded anticipatory bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 07.07.2020 is made absolute.

August 13, 2020
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No