

204

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

**CRM-M No.20941 of 2020(O&M)
Date of Decision: 10.08.2020**

Vijay Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. O.P. Kamboj, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl., AG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.150 dated 23.09.2019 registered under Sections 302, 120-B IPC at Police Station City Fazilka, District Fazilka.

Co-accused Ravi Kumar and Pooja Rani have been granted concession of anticipatory bail in CRM-M No.47637 of 2019 and CRM-M No.45312 of 2019 vide order dated 27.02.2020. The deceased had matrimonial dispute with his

wife. His wife had left him. In the absence of his wife, the deceased had developed some illicit relations with Pooja Rani wife of Ravi Kumar. Due to this affair, Pooja Rani also left the company of Ravi Kumar. Later on, due to intervention of respectables and Panchayats, the matter was compromised between them and they started living as husband and wife w.e.f 13.08.2019. The deceased did not tolerate this fact and consumed some poisonous substance. The mother of the deceased lodged the FIR with the allegations that her son had gone to the house of Ravi Kumar, where Ravi Kumar, Pooja Rani, Babbu and the petitioner were present. All these persons made him to consume something, as a result of which, he started vomiting and ultimately died.

Having heard, learned counsel for the parties, I find that the alleged role of the petitioner cannot be distinguished with that of Ravi Kumar and Pooja Rani, who have already been granted concession of anticipatory bail vide order dated 27.02.2019. On 29.07.2020, the arrest of the petitioner was stayed till the next date of hearing i.e today. The complicity of the petitioner would be debatable in the context of nature of evidence to be led by the parties at trial.

In view of facts and circumstances of the case, petitioner is directed to appear before the SHO/Investigating

Officer on 14.08.2020 at 11:00 AM and in the event of his appearance, he shall be released on anticipatory bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the Arresting Officer and shall abide by the following conditions as envisaged under Section 438(2) Cr.PC:-

(i) that the petitioner shall make himself available for interrogation by the police as and when required;

(ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave India without the prior permission of the Court.

10.08.2020

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No