

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

(112)

CRM-M-22955-2020

Date of Decision: August 17, 2020

Kuldeep Kumar

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Krishan Singh Dadwal, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Jasraj Singh, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner in respect of FIR No.177 dated 20.07.2020 under Sections 307, 498-A and 506 IPC, registered at Police Station Model Town, District Hoshiarpur.

Learned counsel for the petitioner argues that present case is the case of attempt to suicide and not the case of administering poisonous substance to the victim forcibly by the petitioner. Learned counsel for the petitioner further submits that it was the petitioner who took the victim to the hospital and took care of her, which shows that the petitioner is not guilty of the allegations being alleged against him. Learned counsel for the petitioner further submits that the present allegations have only come because the victim is related to a PCS Officer, who has intervened into the matrimonial dispute between the petitioner and the victim and further, in case, the petitioner is sent to the custody, the minor daughter will suffer.

Learned State counsel submits that the victim has given the statement under Section 164 Cr.P.C wherein, the clear allegation has been made against the petitioner for administering the poison to her forcibly. The same stand has been taken by learned counsel appearing on behalf of the complainant as well.

Learned counsel for the complainant submits that the petitioner was having illicit relations with one of her colleague namely, Rajwinder Kaur, which has led to the administering of poison by the petitioner to the victim forcibly.

I have heard learned counsel for the parties and have gone through the record.

Keeping in view the fact that the complainant has clearly levelled allegation of administering the poison to her by the petitioner forcibly in the statement recorded under Section 164 Cr.P.C., the said allegations are grievous in nature.

Keeping in view the gravity of the allegations, which have already come on record during the investigation against the petitioner, the custodial interrogation of the petitioner is necessary.

No ground is made out to grant the benefit of anticipatory bail to the petitioner.

Accordingly, the present petition is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

August 17, 2020
harsha/naresh.k

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