

CRM-M No.24872 of 2020 (O&M)
Date of Decision : 07.09.2020

Charanjit Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGHPresent : Mr. Amit Arora, Advocate
for the petitioners.

Mr. J.S. Ghuman, DAG, Punjab.

FATEH DEEP SINGH, J (ORAL)

The petitioners-Charanjit Singh, Karaj Singh, Virsa Singh and Ranjit Kaur have all come up in this first anticipatory bail under Section 438 Cr.P.C in case FIR No.101, dated 09.07.2020, under Sections 328, 506, 148, 149, 120-B and 420 IPC, 1860 registered at Police Station Harike, District Tarn Taran, Punjab, which was got registered on the complaint of Mandeep Kaur, complainant.

The allegations are that there was a money dispute over twelve lakhs rupees between the accused and the complainant, who are close family members. The complainant alleges that on 19.12.2019, while she had gone to her house in the village to collect her articles, there was a scuffle between the accused and the complainant and as a consequence of which the accused forcibly administered her poisonous substance leading to her hospitalization.

Learned counsel for the petitioners inter alia argued that similarly placed co-accused Ranjit Kaur has been allowed the concession of anticipatory bail vide order dated 24th August, 2020 of this Court and has placed on record video showing how the complainant has feigned the entire incident.

Learned State counsel has opposed the bail on the grounds of seriousness of allegations and that the accused have administered poisonous substance to the complainant, which was contained in two vials and, therefore, custodial interrogation of the petitioners are very much essential.

Appreciating the submissions of two sides, the undisplaced video placed on the file is quite reflective of the manner how the complainant has sought to falsify this plea of forced administration of poisonous substance. Being a property dispute between the family members and on the principle of parity, this Court deems it to be a fit case to grant anticipatory bail to the petitioners.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioners shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioners shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, the petitioners will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

07.09.2020
Manpreet

Whether speaking/reasoned	Yes
Whether reportable	No