

S.No.105

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

CRM-M-34185 of 2020 (O&M)

Date of Decision:28.10.2020

Anoop Singh and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. P.S. Ahluwalia, Advocate for the petitioners.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.173 dated 24.09.2020 registered under Section 306 IPC at Police Station Kalanaur, District Gurdaspur.

It is contended by learned counsel for the petitioners that the case against the petitioners is totally manipulated. It is rather the petitioners who are more aggrieved because of the death of the deceased, who is their son-in-law. The petitioners would have been the last person to desire the death of the deceased. It is further submitted that except the bald statement of the parents of the deceased, there is nothing even to remotely connect the petitioners to the crime alleged against them. Even the minor daughter of the deceased is with the petitioners now and they are taking care of her. The petitioners would join the investigation. Hence, the petitioners deserve to be protected against their arrest.

Notice of motion.

Mr. Randhir Thind, DAG, Punjab, accepts notice on behalf of the State. Mr. Vipin Mahajan, Advocate has put in appearance on behalf of the complainant.

Learned State Counsel, being assisted by learned counsel for the complainant submits that there is specific allegation against the petitioners. They had disturbed the matrimonial life of the deceased, therefore, the deceased committed suicide. However, it is not disputed that except the statement of the complainant, there is no material or substance to even prima-facie connect the petitioners to the crime alleged against them.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

October 28, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No