

CRM-M-45481-2019

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

CRM-M-45481-2019

Date of decision: 19.02.2020

Gagandeep Singh

.... Petitioner

Versus

State of Punjab & ors.

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S.Jaswal, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Ms. Seema Rani, Advocate
for respondents No.2 to 4.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.120 dated 16.10.2018 registered under Sections 307/109 IPC (Section 307 IPC was deleted while Section 306 IPC was added later on) at Police Station Gharinda, District Amritsar (Annexure P-1).

Learned counsel for the petitioner states that pursuant to order dated 24.10.2019 passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions from ASI Major Singh, states that the petitioner is no longer required for further interrogation.

A perusal of the FIR in question also clearly reveals that the

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deceased in her dying declaration(Annexure P-1) recorded before the Judicial Magistrate Ist Class stated that she had set herself on fire after pouring fuel on her body. Not only this, in her dying declaration she stated that she told the petitioner that in case he did not solemnize marriage with her, she would kill herself by consuming something and thereafter, she had burnt herself after sprinkling petrol on her body.

In view of the above, the petition is allowed and interim order dated 24.10.2019, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

19.02.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No