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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.18231 of 2021(O&M)
Date of Decision:02.09.2021

Didar Singh and others

.....Petitioners

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Ramandeep Singh, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.182 dated 21.09.2020 registered under Section 306 IPC at Police Station Samrala, District Ludhiana.

On 30.04.2021, following order was passed by the Co-ordinate Bench:-

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

The petitioners have filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory

bail in case FIR No.182 dated 21.09.2020 registered under Section 306 of the Indian Penal Code, 1860 in Police Station Samrala, District Ludhiana.

Learned Counsel for the petitioners has submitted that the petitioners have been falsely implicated in the case. Deceased-Mandeep Singh @ Sonu was married with Harmandeep Kaur d/o Sodhi Singh. The parents of Harmandeep Kaur and her brother Jaspreet Singh were residing at Village Tooran, District Fatehgarh Sahib whereas the petitioners, who are grandfather, uncle and aunt of Harmandeep Kaur, were residing at village Ratan Heri, Tehsil Khanna, District Ludhiana in separate homes. Mandeep Singh @ Sonu committed suicide due to matrimonial differences with Harmandeep Kaur who refused to join the matrimonial home. The petitioners did not abet commission of suicide by deceased-Mandeep Singh @ Sonu and offence under Section 306 of the IPC is not made out against them. The petitioners are ready to join the investigation.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. A.G. Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 02.09.2021.

In the meanwhile, the petitioners are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds

by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim anticipatory bail allowed to them.

30.04.2021

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**(ARUN KUMAR TYAGI)
JUDGE”**

Deceased Mandeep Singh @ Sonu was married to Harmandeep Kaur. Parents of Harmandeep Kaur and her brother Jaspreet Singh were living in the same village. Petitioners are residents of village Ratan Heri which is a different village than Tooran, where the parents of Harmandeep Kaur and her brother are residing. Petitioner No.1 is grandfather of Harmandeep Kaur, petitioner No.2 is uncle of Harmandeep Kaur and petitioner No.3 is aunt of Harmandeep Kaur. Mandeep Singh @ Sonu committed suicide due to matrimonial discord with Harmandeep Kaur, who had refused to join the matrimonial house.

Learned counsel for the petitioner submits that the petitioners did not abet commission of offence. Even otherwise, ingredients of offence under Section 306 IPC are missing altogether. Learned counsel further submits that Harmandeep Kaur and her brother Jaspreet Singh have already been granted concession of anticipatory bail vide order dated 24.05.2021

passed by the Additional Sessions Judge, Ludhiana.

Vide the aforesaid order dated 30.04.2021, interim anticipatory bail was granted by directing the petitioners to join the investigation.

Learned counsel further submits that the petitioners have joined the investigation to the satisfaction of the investigating Officer.

Learned State counsel on instructions from ASI Karnail Singh admits the aforesaid fact and further submits that the petitioners are no more required for further investigation in the case.

In view of statement made by learned State counsel, the interim order dated 30.04.2021 is made absolute. Petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

02.09.2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No