

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CRM-M-30737-2020 (O&M)

Date of decision: 21.01.2021

Gurdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jupinder Pal Singh Bara, Advocate
for the petitioner.

Mr. Randhir Singh Thind, D.A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in
case FIR No.59 dated 14.06.2020, registered at Police Station Balianwali,
District Bathinda, under Sections 302, 201 and 34 IPC.

This Court, on 01.10.2020, passed the following order:

*“Case is taken up for hearing through video
conferencing.*

*Through this petition, the petitioner seeks
anticipatory bail in case FIR No.59 dated 14.06.2020,
registered at Police Station Balianwali, District Bathinda,
under Sections 302, 201 and 34 IPC.*

Learned counsel for the petitioner contends that the

petitioner is a JBT Teacher and was on duty on 04.05.2020 as per the duty card issued by the authority concerned. He further contends that Kuldeep Singh @ Kala (since deceased) went missing on 11.06.2020 and his dead body was recovered on 13.06.2020 whereas the present FIR was got registered on 14.06.2020. He further contends that no injury was found on the body of deceased, who had drowned in the river. He further contends that on the basis of application moved by the prosecution for releasing co-accused, Jarnail Singh, there being no evidence against him at that stage, he had been released from the custody, vide order dated 06.08.2020 passed by the learned Judicial Magistrate Ist Class, Phul. He further contends that Jarnail Singh is the father of Gurjot Kaur with whom Kuldeep Singh @ Kala (since deceased) had alleged illicit relations and since her Rocka ceremony has been fixed with some other person, Kuldeep Singh @ Kala has committed suicide.

Notice of motion.

On the asking of this Court, Mr. Pawan Sharda, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and submits that the petitioner is named in the FIR and he was a middleman in arranging Rocka ceremony of Gurjot Kaur, who was having love affair with the deceased.

Adjourned to 20.01.2021.

No evidence was found against co-accused, Jarnail Singh and the petitioner is only a middleman to arrange Rocka ceremony of Gurjot Kaur.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating

Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that in compliance of the order dated 01.10.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from A.S.I. Kuldeep Singh, submits that the petitioner has joined the investigation and is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

However, State will be at liberty to file an application for cancellation of the bail granted to the petitioner in case the petitioner violates any of the conditions imposed while granting the bail.

21.01.2021

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No