

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39235-2020 (O&M)
Date of Decision: 10.09.2021

Joginderpal @ Harjinderpal and Another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Rashmi Attri, AAG, Punjab.

Mr. Vaibhav Narag, Advocate,
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners in case FIR No.249 dated 04.07.2020 under Sections 306 and 34 IPC, registered at Police Station Civil Lines, District Batala, Gurdaspur.

Learned counsel for the petitioners would submit that the petitioners are mother-in-law and father-in-law of the deceased. It is urged that allegations under Section 306 IPC would not be made out against the petitioners as per the medical report itself. It is urged that as per the Viscera report dated 22.09.2020, the cause of death was due to failure of function of heart and lungs. He further contended that the petitioners have been falsely implicated in the present case and on the direction of this Court, have joined

the investigation.

Learned State counsel, on instructions from ASI Narjeet Singh, would submit that petitioners have joined the investigation and that the matter has been investigated.

On the other hand, learned counsel for the complainant opposes the confirmation of anticipatory bail to the petitioners by contending that there are serious allegations made out in the FIR which would constitute an offence under Section 306 IPC.

I have heard learned counsel for the parties and also perused the viscera report wherein it has been opined that the cause of the death of complainant's sister was due to failure of functioning of heart and lungs. .

In view of the facts that the matter has been investigated and petitioners have joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 13.01.2021 granting interim bail to the petitioners are made absolute subject to the conditions laid down in Section 438 (2) Cr. P.C.

10.09.2021

Riya

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No