

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.
105

CRM-M-45275 of 2021

Date of decision:29.10.2021

Tirath Ram

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.R.K.Jaswal, Advocate, for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.156, dated 19.9.2021, having been registered at Police Station Sadar, Hoshiarpur, alleging therein the commission of offences punishable under Sections 306/34 of the IPC.

Learned counsel for the petitioner submits that though in the order passed by the learned Additional Sessions Judge, Hoshiarpur, dismissing a similar petition filed before that court, it is has been stated that the petitioner (father-in-law of the deceased) was named in the videography recorded by the deceased prior to his death, as has been noticed by this court in a petition filed by a co-accused, i.e. Kunal Teji (in CRM-M no.42765 of 2021), counsel for the complainant had submitted before this court that even in that videography recording, the petitioners' wife and her father had been exonerated by the deceased.

A copy of that order passed on 11.10.2021 has been annexed as Annexure P-3 with the petition.

Notice of motion.

Mr.Rana Harjasdeep Singh, learned DAG, Punjab, accepts notice at the asking of the court, with Mr.Jasraj Singh, Advocate, appearing for the complainant.

Learned counsel for the complainant submits that as regards the videography, though it had not been clarified by him at the time that CRM-M no.42765 of 2021 was heard by this court, the videography actually shows that the deceased had said that his wife was not to be blamed in any manner and that as regards the petitioner (her father), though he was also responsible in some manner for the deceased committing suicide, however since he was suffering from various ailments, the deceased did not want to take any action against him.

Learned counsel for the State in fact submits that as per his instructions, the petitioner has not been arraigned as an accused so far in the FIR, and therefore there would be no occasion for the police to seek his arrest.

That being so, this petition is disposed of with a direction that if the petitioner is sought to be arrested by the police, he will be given 10 days' clear notice before doing so and as regards asking him to join investigation, due procedure as provided under the Code of Criminal Procedure, 1973, shall be followed by issuing appropriate notices etc. before that.

29.10.2021

pk

Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)
JUDGE

Yes/No

Yes/No