

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-43854-2020 (O & M)
Date of Decision: August 20, 2021**

PRITAM KAUR AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sukhdeep Singh Sidhu, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioners are seeking anticipatory bail in FIR No.150 dated 24.10.2020, under Sections 302 and 120-B of the Indian Penal Code, 1860, registered at Police Station Dialpura, District Bathinda.

Learned counsel for the petitioners contends that there is a delay of 19 months in registering the FIR wherein it is alleged that deceased Puran Singh had been poisoned by the petitioners. He, however, contends that deceased Puran Singh had been admitted in hospital and after his discharge, he had expired and proceedings under Section 174 Cr.P.C. were carried out. He also contends that petitioner No. 1 is 75 year widow of the deceased, petitioner No. 2 is the daughter of the deceased, petitioner No. 3 is the husband of petitioner No. 2, petitioner No. 4 is the son of petitioners No. 2 and 3 while petitioner No. 5 is a relative of the deceased. The FIR has been lodged by the complainant, who was a helper of the deceased. The deceased was a 'vaid'. The Will made in favour of the complainant had been cancelled by the deceased five days before his death. He also contends that although deceased expired on 19.01.2019, but the viscera is stated to have been sent by the police to the Chemical Examiner in September, 2019. He also contends that there are discrepancies in the memo number and date of the sample sent to the Chemical Examiner. He also

contends that Inspector Aman Pal Singh, who is now posted as SHO, Police Station Dialpura, is himself facing serious allegations of corruption and FIR No. 23 dated 23.08.2018, under Sections 7 and 13 (2) of the Prevention of Corruption Act, 1988, and Sections 420 and 120-B IPC, has been registered against him and others at Police Station City-1 Mansa.

This Court, by the order dated 23.12.2020, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel has filed reply by way of affidavit of DSP, Sub Division Phul, Bathinda wherein it has been stated that in pursuance to the report of SIT headed by Inspector General of Police, Bathinda Range constituted by the order of this Court, the petitioners have been found innocent and a cancellation report has been sent to the office of Director General of Police for approval. He, upon instructions from ASI Mukhtiar Singh states that the petitioners have joined investigation.

In view of the above and the petitioners having joined investigation, the order dated 23.12.2020 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

August 20, 2021
A.Kaundal

Whether speaking/ reasoned : Yes/No
Whether Reportable : Yes/No