

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204)

CRM-M-796-2022

Date of decision:- 22.07.2022

Manraj Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rishabh Gupta, Advocate for the petitioners.

Mr. A.S.Gill, Senior DAG, Punjab for State-respondent.

Mr. Vipin Mahajan, Advocate for the complainant.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of pre-arrest bail in case FIR No. 143 dated 12.12.2021, registered for offences under Sections 304-B and 34 of the Indian Penal Code, 1860, at Police Station Dhariwal, District Gurdaspur.

On 10.02.2022, this Court passed the following order:-

“Learned counsel for the petitioners contends that the petitioners, who are brother-in-law and sister-in-law respectively of the deceased, have been falsely implicated in the case in hand on account of their close relationship with the husband of the deceased. He further contends that it was a matter of record that they were residing separately from the deceased and her husband i.e. co-accused and thus had no occasion, whatsoever, to interfere in their life, much less, subject the deceased to the harassment and cruelty, as alleged in the Fir in question.

On being put to notice, learned State counsel has put in appearance. On a pointed query put to the learned State counsel as to whether any material had been collected by the investigating agency during investigation qua any complaint given against the petitioners prior to the occurrence in question, he has replied in the negative. On a further query put to the learned State counsel as to whether any injuries had been found on the person of the deceased in the postmortem report, he again replied in the negative.

Adjourned to 22.07.2022.

Meanwhile, the petitioners are directed to join investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

Upon instructions, State counsel submits that the petitioners have joined the investigation, challan has been presented qua them and they are no longer required for custodial interrogation. Still further, on instructions, he submits that the husband of the deceased is in custody.

In view of the above, but without commenting on the merits of the case, present petition is allowed.

Order dated 10.02.2022 granting interim bail to the petitioners, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

22.07.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No