

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

217-1

CRM-M-9124-2022

Date of Decision:18.07.2022

MANJU AND ANR

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Jasraj Singh, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

On 04.03.2022, this Court passed the following order:-

“Heard through Video Conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.34 dated 14.02.2022, registered for offences under Sections 306 and 509 of the Indian Penal Code, 1860, at Police Station Model Town, District Hoshiarpur (Annexure P-1).

Counsel for the petitioners submits that a reading of the FIR (Annexure P-1) shows that the primary allegation is against Sonu Plumber @ Tilak Raj, who is the brother of accused-petitioner No.1 and husband of accused-petitioner No.2. He submits that no overt or covert act has been attributed to the petitioners, the deceased did not leave behind any suicide note and allegation against the petitioners are of having abused the deceased. It is his argument that all the family members of Sonu Plumber @ Tilak Raj have been deliberately named in the FIR.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State. Upon instructions from ASI, Satnam Singh, he submits that an earlier complaint was given by the complainant on 12.02.2022, wherein he alleged that Sonu Plumber @ Tilak Raj and his family

members are harassing him and his family members, but his statement could not be recorded before the unfortunate incident took place. Upon further instructions, he submits that there are five accused, out of which, Karan, who is one of their relatives, has been arrested.

List on 18.07.2022.

Meanwhile, the petitioners shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Upon instructions from ASI Kulwinder Singh, State counsel submits that the petitioners have joined the investigation, final report has been presented and they are no longer required for custodial interrogation.

In view of the above, the present petition is allowed and the order dated 04.03.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

18.07.2022
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(SUVIR SEHGAL)
JUDGE

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