

CRM-M-9519 of 2020

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-9519 of 2020

Date of decision:08.02.2022

Kartar Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Arnav Sood, Advocate
for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioners in case FIR No.7 dated 13.02.2020 registered under Section 306 of Indian Penal Code, 1860, (Section 34 IPC was added later on), at Police Station Hajipur, District Hoshiarpur (Annexure P-1).

As per the case of the prosecution, FIR (Annexure P-1) has been registered on the complaint of Puran Singh on the allegations that his daughter Meena Devi, aged 30 years, was married to Anil Singh, about 8-9 years earlier and two children were born out of the wedlock. It has been alleged that soon after the marriage of his daughter, parents of Anil Singh (petitioners herein) solemnized the marriage of their daughter, Priyanka and all the dowry articles given by the complainant at the time of marriage were passed on to Priyanka. It has been alleged that his daughter was being

harassed, physically assaulted and was pressurized to bring money from her parents. Being fed up with ill-treatment at the hands of her in-laws, she consumed poison and unfortunately expired on 12.02.2020.

Counsel for the petitioners submits that the petitioners were granted interim bail by this Court, vide order dated 20.08.2021 and in pursuance to the said order, they have joined the investigation and are no longer required for custodial interrogation.

This factual aspect has been admitted by State counsel upon instructions from ASI Parvesh Kumar. Still further, on instructions, he submits that there are two more accused, Anil, husband of deceased and Priyanka, sister-in-law of the deceased and challan has been presented against them.

Heard counsel for the parties.

This Court passed the following order on 20.08.2021:-

“The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.7 dated 13.02.2020 under Section 306 IPC and Section 34 IPC added later on registered at Police Station Hajipur, District Hoshiarpur.

Counsel for the petitioners herein would contend that on similar allegations co-accused Priyanka Rani @ Priyanka who is daughter of the petitioner has already been admitted on bail while arguing that the deceased has not left behind any suicide note. It is further submitted that the investigation is complete

*qua the husband and challan has been presented against him.
As no recoveries have to be effected from the petitioners
herein, their custodial interrogation would not be required.*

*Learned counsel appearing on behalf of the respondent-
State on instructions from ASI Daljeet Singh submits that
investigation is complete qua the husband of the deceased i.e.
son of the petitioners herein.*

*The petitioners are directed to join the investigation
within a period of one week and on their doing so, in the even
of their arrest, the petitioners be released on interim bail
subject to their furnishing personal/surety bonds to the
satisfaction of Arresting/Investigating Officer. However, the
petitioners shall continue to join the investigation as and when
called upon to do so and shall abide by the conditions as
provided under Section 438(2) Cr.P.C.*

Adjourned to 08.02.2022.”

Keeping in view the submission of the State counsel and the
fact that the petitioners, who are in-laws of the deceased and are of an
advanced age, the present petition is allowed and the order dated 20.08.2021
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.

February 08, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No