

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13511-2021 (O&M)
Date of Decision:- 5.4.2022

Daljit Singh @ Laddi

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Kahlon, Advocate, for the petitioner.

Mr. Anmol S. Sandhu, AAG, Punjab,
assisted by SI Dhanvinder Singh.

Mr. Veneet Sharma, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 082 dated 21.5.2019 at Police Station Raja Sansi, Tehsil & District Amritsar under Sections 304 and 34 of Indian Penal Code, wherein offences under Sections 302, 201, 120-B, 148 and 149 IPC were added later on.
2. At the time of issuance of notice of motion the following order was passed on 24.3.2021:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.082 dated 21.5.2019 at Police Station Raja Sansi, Tehsil

& District Amritsar under Sections 304 and 34 of Indian Penal Code, wherein offences under Sections 302, 201, 120-B, 148 and 149 IPC were added later on.

The FIR was registered at the instance of Simran Singh, son of deceased, wherein it is alleged that his father Budh Singh left home at about 9:30 PM on 17.5.2019 but did not return back till late. When the complainant called his father on phone, he disclosed that some unknown persons had caused injuries to him and had thrown him. The complainant and others rushed to the spot and got his father admitted in hospital, where he succumbed to his injuries on 20.5.2019. It is further alleged therein that shortly before his death, the complainant's father disclosed that Laddi, Resham Singh @ Gora, Pinka and Pamma are responsible for his death and had given beatings to him.

Learned counsel for the petitioner has submitted that the FIR in question has been lodged after a delay of 4 days of the incident and has apparently been lodged after consultations. It has been submitted that although when the complainant had called his father telephonically on 17.5.2019, he categorically stated that some unknown persons had caused injuries to him but it remains unexplained as to how immediately before his death, he disclosed the names of the assailants.

Learned counsel for the petitioner has further submitted that the deceased was interviewed shortly before his death by some members of DPI Party, wherein the deceased disclosed that he had been caused injuries by some unknown persons at the behest of one Kuldeep Singh Dhaliwal, who was contesting elections to Parliament as a candidate of Aam Admi Party (AAP). Learned counsel has submitted that the said interview was duly videographed and has been annexed as Annexure P-2.

Notice of motion for 20.7.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The State shall get the video recording (Annexure P-2) examined and submit its report in respect of the same on the next date of hearing.”

3. Learned State counsel has informed that pursuant to aforesaid directions, the petitioner has joined investigation and he is not required for custodial interrogation.
4. Having regard to the aforestated position wherein the petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and interim directions issued by this Court vide order dated 24.3.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

5.4.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No