

CRM-M-13977-2022

Date of decision: 13.07.2022

GURSEWAK SINGH @ GURSEWAK

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Munish Raj Chaudhary, Advocate for
Mr. G.S. Khokhar, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

VIVEK PURI,J. (ORAL)

On 02.04.2022, the following order was passed:-

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.0237 dated 22.10.2019 under Section 306 IPC, registered at Police Station Raman, District Bathinda.

Briefly, the FIR has been registered on the basis of the statement of Dharampal, the father of the deceased. It has been alleged that the marriage of the deceased was solemnized with the petitioner about 10-11 years ago. The petitioner had been entering into a quarrel with the deceased and suspecting her character during the period of 4-5 years prior to the occurrence. About 4-5 days prior to the occurrence, the petitioner had a quarrel with the deceased, who informed the wife of the complainant and she made them to understand. The deceased had told her mother that she was upset as her husband was not having money for daily needs. Thereafter, on 22.10.2019, the deceased committed suicide by hanging herself.

Learned counsel for the petitioner contends that the petitioner was working as a Labourer and as such the family was in some financial distress. He further contends that there was no complaint submitted at any forum during the period of about

10-11 years of marriage. The dispute has been amicably settled and the complainant had furnished an affidavit contained at Annexure P-2. A petition for quashing the FIR has also been instituted and the same is pending adjudication in this Court. Moreover, the occurrence took place about 2½ years ago and till date no effort has been made to effect the arrest of the petitioner.

Notice of motion.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to get instructions in the matter.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that in pursuance of interim directions, the petitioner has joined the investigation.

On instructions from HC Iqbal Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 02.04.2022, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

13.07.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No