

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

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CRM-M-14449-2022

Date of Decision: 03.08.2022

Balbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Onkar Singh, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab,
assisted by ASI Charanjit Singh.

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. 32 dated 11.03.2022, under Section 306 IPC registered at Police Station Khanna City-2, District Ludhiana.
2. On 27.04.2022, this Court passed the following order:

“Present petition has been filed under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 32 dated 11.03.2022, under Section 306 IPC registered at Police Station Khanna City-2, District Ludhiana.

The FIR was lodged on the complaint of one Simran Kaur, who stated that her husband Ravinder Singh was aged about 50 years. In February, 2021 her father-in-law Joginder Singh had transferred 6 shops situated behind the house of the complainant by way of sale deed in the name of her husband. As a result of this, the sister-in-law of the complainant- Kamalinder Kaur her husband Gurmail Singh, Ramanpreet Kaur and her brother-in-law Gurpreet Singh started harassing and making complaints against the husband of the complainant. The second sister-in-law of the complainant Ramanpreet Kaur, regularly visited the police station to

pursue the investigation regarding the complaints. As a result of this her husband started remaining very depressed. The complainant got to know from a suicide note left by her husband that he had also lent Rs.5,50,000/- to Guriqbal Singh @ Guri who was a friend of her husband. Whenever, Guri visited their house, the husband of the complainant asked him to return money.

The petitioner who was a friend of Guriqbal Singh @ Guri used to threaten her husband with dire consequences for demanding the money. Her husband committed suicide by consuming poison on 10.03.2022. He left behind a written suicide note in which he mentioned the aforesaid facts.

Learned counsel for the petitioner has argued that on the facts as alleged in the FIR no offence under Section 306 IPC is made out against the petitioner. Primarily the allegations are against the sister-in-law of the complainant and her husband who were harassing the husband of the complainant on account of the property having been transferred in his name. It was Guriqbal Singh @ Guri, who owed an amount of Rs.5,50,000/- to the husband of the complainant. The petitioner is in no way connected with Guriqbal Singh @ Guri. Even the alleged suicide note is written in August, 2021. It is not signed suicide note. The petitioner is aged about 70 years. He is ready and will to join the investigation.

Adjourned to 03.08.2022.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438 (2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.

4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for further custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 27.04.2022 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.

03.08.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**