

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-15297 of 2022
Date of decision:18.08.2022

Agyakar Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amaninder Singh Sekhon, Advocate
for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

On 18.04.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.17 dated 24.02.2022, registered for offences under Sections 306/120-B of the Indian Penal Code, 1860 (Annexure P-1) (Offence under Section 306 of the Indian Penal Code, 1860 was deleted and Section 304-B was added, vide DDR No.20 dated 27.02.2022, at Police Station Smalsar, District Moga (Annexure P-2).

Counsel for the petitioners contends that petitioner No.2, who is pregnant, is the married sister-in-law of the deceased. He submits that her marriage was solemnized with petitioner No.1 on 30.01.2018 and they are staying at their matrimonial home, which is at a distance of 60 kilometers from the residence of the deceased. He submits that the deceased got married to the brother of petitioner No.2 on 07.01.2020. Counsel contends that initially FIR (Annexure P-1) was registered under Sections 306 and 120-B, IPC, but on the basis of supplementary statement of the complainant recorded three days later, offence under Section 304-B, IPC has been added. He submits that the husband and in-laws of the deceased are in custody and no recovery is to be effected from the petitioners.

Notice of motion.

On asking of the Court, Mr. Amandeep Singh Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr. Arshdeep Singh Brar, Advocate for the complainant, who has filed Memorandum of Appearance, which is taken on record.

List on 18.08.2022.

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 Basant Singh, State counsel submits that petitioners have joined investigation and they are no longer required for custodial interrogation. Still further, he submits that supplementary challan qua petitioners has been presented.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and order dated 18.04.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

August 18, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No