

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.203

CRM-M-22490-2022

Date of decision: 08.09.2022

Jagan Nath and others

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.S. Bhandohal, Advocate, for the petitioners.

Mr. Navneet Singh, Sr. DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0093 dated 29.04.2022 registered under Section 306 IPC at Police Station Sadar Nabha, District Patiala.

On 23.05.2022, this Court had passed the following order:-

“Learned counsel for the petitioners inter-alia contends that the petitioners have been falsely implicated in this case only because they are related to the husband of the deceased; the petitioners have no other criminal antecedents; the deceased got married to her husband on 30.11.2011; from her marriage till date the petitioners do not reside in the deceased's matrimonial home and have been living in their own respective residences; the petitioners are distant relatives of the deceased's husband and therefore have no connection with any alleged mal-treatment of her's leading of her suicide; in any case, even if the allegations in the FIR are accepted as the gospel truth, though vehemently denied, they do not constitute an offence of abetment under Section 107 IPC so as to prosecute the petitioners and that the petitioners are also ready and willing to join and cooperate with the investigation.

Notice of motion.

Ms. Gunkirat Kaur, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 08.09.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.0093 dated 29.04.2022 registered under Section 306 IPC at Police Station Sadar Nabha, District Patiala, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioners have joined the investigation; co-operated with the investigating agency and that their custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioners in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 23.05.2022, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

September 08, 2022
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No