

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

(Sr. No. 211)

(1)

CRM-M No.25486 of 2022

Shano

.....Petitioner

Versus

State of Punjab

.....Respondent

(2)

CRM-M No.26052 of 2022

Gurjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

Date of decision : 14.07.2022

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. J. S. Bhandohal, Advocate for the petitioner(s).

Mr. Saurav Khurana, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through this common order CRM-M No.25486 of 2022 -
Shano Vs. State of Punjab and CRM-M No.26052 of 2022 - Gurjit Singh
Vs. State of Punjab are being disposed of.

Through the present petitions filed under Section 438 Cr.P.C.
the petitioner(s) seek anticipatory bail in FIR No. 0093 dated 29.04.2022
registered under Sections 306 IPC at Police Station Sadar Nabha, district
Patiala.

On 08.06.2022, this Court had passed the following order : -

“The petitioner (Shano) in CRM-M-25486-2022 and (Gurjit Singh-husband) in CRM-M-26052-2022, prays for pre-arrest bail in a criminal case arising from FIR No.0093, dated 29.04.2022, registered under Section 306 IPC, at Police Station Sadar Nabha, District Patiala.

As per the case of the prosecution, late Smt. Gurmit Kaur has died by committing suicide in her brother's house. It is stated that late Smt. Gurmit Kaur was married to Gurjit Singh on 30.11.2011 and the couple was blessed with three children. The FIR has been registered by Bittu Ram-brother of the deceased. It is alleged that late Smt. Gurmit Kaur was being harassed by her in-laws and she was thrown out of the house.

The learned counsel representing the petitioners inter alia contends that there was no complaint against the mother-in-law and husband during the subsistence of married life between late Smt. Gurmit Kaur and Gurjit Singh for nearly 11 years. He further contends that late Smt. Gurmit Kaur was residing with her brother for the last 4 months and she has not left behind any suicide note.

On the other hand, the first informant contends that the petitioners are late Smt. Gurmit Kaur's mother-in-law and her husband, who ended her life on account of harassment at the hands of the petitioner.

Notice of motion for 14.07.2022.

On the request of the Court, Mr. Amit Mehta, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the State.

The learned counsel representing the State of Punjab submits that the petitioner herein is mother-in-law and husband of late Smt. Gurmit Kaur.

In the considered opinion of the Court, the petitioners have made out a prima facie case for grant of concession of pre-arrest bail particularly when there is neither any suicide note

nor there was any complaint against the husband and mother-in-law, during 11 years of married life and late Smt. Gurmit Kaur died by suicide in her brother's place.

Keeping in view the aforesaid facts, let the petitioners (husband and mother-in-law of the deceased) join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. In the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer.

A photocopy of this order be placed on the file of the other connected case.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner(s) have joined and cooperated with the investigation and that their custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner(s) in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 08.06.2022, granting ad interim anticipatory bail to the petitioner(s) is ordered to be made absolute.

14.07.2022
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No