

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101

CRM-M-31396 of 2021
Date of decision:23.02.2022

Jobandeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Balbir Kumar Saini, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioner in case FIR No.254 dated 12.07.2021 registered under Section 306 of Indian Penal Code, 1860 at Police Station Islamabad, District Amritsar (Annexure P-1).

As per the version of the prosecution, FIR (Annexure P-1) has been registered on the statement of Amandeep Kaur, on the allegation that they are seven sisters and she is the eldest. Her mother is deaf and dumb and grandmother is blind and father works as a labourer. Her younger sister Nitti, who is unmarried stays with her parents at Indira Colony, Amritsar. Her sister confided in her that she is in relationship with Jobandeep Singh (present petitioner), resident of the same colony for the last 03 years and he

had promised to marry her, but 1½ years back, he got married with another girl without telling her. Nitti further told her that Jobandeep Singh has promised that he will divorce his wife and then marry her. Nitti further told her that in case he does not do so, she will commit suicide. On 11.07.2021, the complainant got a call from Indira Colony that Nitti has committed suicide by hanging. She has alleged that Jobandeep Singh has brought disrepute to her sister and on the pretext of false promise of marriage has played with her emotions. On checking mobile of the deceased, the complainant found a recorded message that “I am helpless, the reason for my death is Jobandeep Singh”. She has requested for taking action against the accused.

Vide order dated 19.08.2021, the petitioner was granted interim bail by this Court and the following order was passed:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner has been falsely implicated by the complainant in the present case on the ground that the deceased sister of the complainant had informed her that a marriage would be solemnized between the petitioner and the deceased. It is submitted that in fact the petitioner had already solemnized marriage one and a half year back and the allegations that the petitioner would get married to the deceased are patently false. It is further submitted that the question of alleged abetment would not arise as there are no allegations in the FIR that the petitioner herein had instigated/encouraged the

deceased to commit suicide while contending that he is ready and willing to join the investigation.

Notice of motion.

Mr. A. S. Gill, Sr. DAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State.

Adjourned to 01.02.2022.

Meanwhile, petitioner is directed to join the investigation within a period of one week and in the event of arrest, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Counsel for the petitioner submits that a compromise has been entered into with the complainant and pursuant to order passed by this Court, the petitioner has joined the investigation.

This fact has been confirmed by the State counsel upon instruction from SI Bhupinder Singh, who further submits that the petitioner is not required for the custodial interrogation and is not involved in any other criminal case. However, he has denied any information about the alleged compromise.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated

19.08.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

February 23, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>