

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

Sr. No.201

CRM-M-33953 of 2021

Date of Decision: 14.02.2022

Kulwant Singh and another

.... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. P.B.S.Goraya, Advocate for the petitioners.

Mr. Arun Kaundal, DAG, Punjab.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.45 dated 10.06.2021, registered under Sections 306, 148 and 149 IPC at P.S. Verowal, District Tarn Taran.

On 13.09.2021, this Court passed the following orders:-

“Heard through video conferencing.

Status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Tarn Taran, District Tarn Taran has been filed on behalf of the respondent-State, in compliance of the order dated 20.08.2021, which is taken on record.

Counsel for the petitioners submits that FIR has been registered by Amandeep Kaur, wife of deceased Manjit Singh on the allegation that on 06.06.2021, her husband was called by one Gurjant Singh, who was running a NGO by the name “Dhian de Rakhwale”, on the basis of a false complaint given by one Reeta. He submits that allegations against the petitioners are that they alongwith other accused humiliated the deceased and assaulted him before handing him over to the police. Counsel for the petitioners contends that not overt or covert act can be directly attributed to the petitioners which

could have lead the deceased to commit suicide. It is his argument that the deceased, who committed suicide three days after the alleged incident, had enough time to think over and reflect. Placing reliance upon the judgment of the Hon'ble Supreme in Sanju @ Sanjay Singh Sengar Vs. State of Madhya Pradesh (2002) 5 SCC 371, counsel asserts that the alleged incident cannot be said to have instigated the deceased to commit suicide and as the necessary ingredients of Section 107 IPC are not satisfied, offence under Section 306 IPC is not made out. He has instructions to state that the petitioners are ready to join the investigation and cooperate with the investigating agency.

List on 14.02.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and 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 Bhupinder Singh, learned State counsel submits that in compliance of the aforesaid orders, the petitioner has joined the investigation and his custodial interrogation is not required.

Having considered the facts and circumstances of the case, order dated 13.09.2021 passed by this Court is made absolute, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Accordingly, the petition stands disposed of.

**(SANT PARKASH)
JUDGE**

14.02.2022
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No