

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-36008-2021
Decided on : 07.01.2022

Palwinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.K.Chauhan, Advocate
for the petitioner.

Mr. Rehat Bir Singh Maan, DAG, Punjab.

Mr. Sandeep Kumar, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.139 dated 17.08.2021 under Sections 306, 34 IPC 1860 registered at Police Station Bullowal District Hoshiarpur.

Learned counsel for the petitioner states that the petitioner has since joined the investigation and cooperated with the investigating agency in compliance of order dated 02.09.2021, which was passed in the following terms:

“Learned counsel inter alia contends that there is no evidence on record which could even remotely connect the petitioner with the suicide of deceased Kulbir Kaur. It has been submitted that the daughter of the complainant and son of the petitioner had got married in the year 2018 and had thereafter left for Canada. However, due to marital discord between them there relations turned sour. Learned counsel submits on account of the strained relations between the parties, the

complainant who is an ASI with the Punjab Police and his daughter started extending threats to the petitioner and his wife as a result of which, they had to approach this Court by way of a Criminal Writ Petition 5968-2021 seeking protection of their life and liberty at the hands of the complainant, which is still pending consideration of this Court. Learned counsel therefore submits that the allegations levelled in the FIR in question that it was on account of filing of the aforementioned writ petition against his wife, the deceased would remain under depression and eventually committed suicide, on the face of it deserves to be discarded, as merely filing a criminal writ petition seeking protection of life and liberty could not be said to be an act of abetment to suicide.”

Learned State counsel assisted by counsel for the complainant on instructions from SI Maninder Singh does not dispute the factum of the petitioner having joined the investigation. He, on further instructions states that the petitioner is not required for further investigation.

In view of the above, the petition is allowed and interim order dated 02.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.01.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No