

CRM-M No.34712 of 2022 (O&M)
Date of decision : 01.12.2022

Khushdeep Singh & anr.

..... Petitioners

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. S.S.Brar, Advocate
for the petitioners.

Mr. Arun Gupta, AAG, Punjab.

Mr. Himmat Singh Sidhu, Advocate
for the complainant.

PANKAJ JAIN, J. (ORAL)

The petitioners have prayed for grant of pre-arrest bail in FIR No.0065 dated 16.06.2022 registered under Sections 306/34 IPC, at Police Station Shimlapuri, District Police Commissionerate Ludhiana.

On 06.08.2022 the following order was passed:-

“ The petitioners have approached this Court under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in case bearing FIR No. 0065 dated 16.06.2022 under Sections 306 and 34 of the Indian Penal Code registered at Police Station Shimlapuri, District Police Commissionerate Ludhiana.

Learned counsel appearing for the petitioners contends that deceased Simranjit Singh is the younger brother of petitioner No. 1 Khushdeep Singh and that as per the allegations levelled, he has committed suicide because of the alleged interference in his affairs by his brother. The nature of the interference seems to arise out of certain domestic discussions such as not being allowed to purchase furniture; quarrel between the co-sisters and other such minor incidents. It is also contended that there is no suicide note executed by the deceased and as such, it cannot be stated that the petitioners were instrumental or had aided or abetted the deceased to commit suicide. He further submits that

the instant FIR has been got registered by the widow of the deceased brother as she is not satisfied with the property distribution arrangement. Initially, a sum of Rs. 9 lakhs was to be paid to the widow out of the family proceeds, however, the said settlement having gone sour, it has resulted in registration of the present FIR. He further contends that the petitioners are ready and willing to join investigation and co-operate throughout. The petitioners do not suffer from any criminal antecedents.

Notice of motion.

Pursuant to the supply of an advance copy, Ms. Amarjit Kaur Khurana, DAG, has appeared and accepted notice on behalf of the respondent-State.

Mr. Himmat Singh Sidhu, Advocate, appears on behalf of the complainant.

List on 16.11.2022 for further consideration.

In the meanwhile, the petitioners are directed to join investigation as and when so required by the Investigating Agency. In the event of petitioners joining investigation, they shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C..”

Today counsel for the petitioners in order to show *bona-fides* of the petitioners has brought two demand drafts amounting to Rs.4,50,000/- each one in the name of the complainant-Navjot Kaur and the other in the name of her son namely Hemanvir Singh. The same have been handed over to the counsel representing the complainant.

Photocopy of the demand drafts have been taken on record as Mark 'X'.

In view the aforesaid facts, without commenting on the settlement between the parties and keeping in view the *bona-fides* shown by the petitioners, the interim order dated 06.08.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438 (2) Cr.P.C.

The petition stands disposed off.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

01.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No