

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARHCRM-M-35790-2022
Date of decision: 28.09.2022

Gurpreet Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Raminder Singh Joon, Advocate for the petitioners.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

None for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail in case bearing FIR No.57 dated 17.05.2022 registered under Section 306 of the Indian Penal Code, 1860 at Police Station Kamboj, District Amritsar Rural.

On 16.08.2022, this Court was pleased to pass the following order:-

*“Learned counsel for the petitioners inter alia contends that in the present case, the alleged incident dates back to 26.11.2021 and the alleged suicide is stated to have been committed on 17.05.2022. It is further submitted that the main accused Baldev Singh, as per the FIR, has already been granted the concession of anticipatory bail. It is contended that initially, no evidence was found against the petitioners and the FIR was only registered against said Baldev Singh. It is further contended that even as per the FIR, it is the said Baldev Singh who is stated to be the landlord/owner and thus, it is apparent that the present dispute is a dispute between landlord and tenant. It is argued that there is no suicide note and thus, no offence under Section 306 of IPC is prima facie made out. In support of his arguments, he has relied upon the judgment passed by the Hon'ble Supreme Court in **Gangula Mohan Reddy Vs. State of Andhra Pradesh** reported as **(2010) 1 SCC 750** and judgment passed by a Coordinate Bench of this Court in **State of Punjab Vs. Kamaljit Kaur @ Bholi and another** reported as **2008(2) RCR (Criminal) 562.***

It is further argued that the petitioners are not involved in any other case.

Notice of motion for 28.09.2022.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall 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.

Learned counsel for the State and complainant would be at liberty to produce on record all the relevant documents on the next date of hearing in order to show that the petitioners are not entitled for grant of anticipatory bail.

16.08.2022

(VIKAS BAHL)
JUDGE”

Learned counsel for the petitioners has submitted that in pursuance of the said order, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Amarjeet Singh, has submitted that the petitioners have joined investigation and are not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 16.08.2022, and also the fact that the petitioners have joined the investigation and are not required for further investigation, the present petition is allowed and the interim order dated 16.08.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

28.09.2022

(VIKAS BAHL)
JUDGE

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Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No