

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

208 (2 cases)

(Through Video Conferencing)

(1)

CRM-M-44349-2021

Date of decision: 24.02.2022

Kashmir Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

(2)

CRM-M-37268-2021

Date of decision: 24.02.2022

Surjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Judgepreet Singh Warring, Advocate
for the petitioners in both the cases.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

This order shall dispose of the above said two petitions as they have arisen out of the same FIR.

Petitioners-Kashmir Singh and another (parents-in-law of the deceased) have filed CRM-M-44349-2021 and Surjeet Singh (husband of the deceased) has filed CRM-M-37268-2021 filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.127 dated 02.08.2021 under Sections 306, 506 and 34 IPC registered at Police Station Vairoke, District Fazilka.

Learned counsel for the petitioners has submitted that

Kashmir Singh and another Sumitra Bai @ Sumitra Rani are parents-in-law and petitioner-Surjeet Singh is husband of the deceased Paramjit Kaur, who committed suicide by hanging herself from a fan on 02nd August, 2021. Learned counsel has further submitted that it was a matter of record that the deceased was being treated for severe depressive disorder by the family of the petitioners themselves. It has been further submitted that the allegations levelled in the FIR of the alleged mental and physical harassment by the petitioners, were totally false and fabricated, which had to be appreciated in the background of no complaint ever having been made by the family of the complainant against the alleged harassment of the deceased ever since her marriage with petitioner-Surjeet Singh in the year 2013.

In support of his submissions, learned counsel has referred to Annexure P-6 (medical record of the deceased) annexed with CRM-M-44349-2021, wherein, the medical as well as mental condition of the deceased clearly stands reflected. Learned counsel has, therefore, prayed for the concession of anticipatory bail to the petitioners by urging that in the facts and circumstances as submitted, there is no manner of doubt that false and fabricated case has been foisted upon the petitioners, coupled with the fact that the essential ingredients to attract the mischief of Sections 306 & 107 of IPC are clearly amiss. Learned counsel further submits that in compliance of orders dated 28.10.2021 passed in CRM-M-44349-2021 petitioners-Kashmir Singh and another and in compliance of order dated 01.02.2022 passed in CRM-M-37268-2021, petitioner-Surjeet Singh have joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from SI Davinder Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

In view of the above, the petitions are allowed and interim orders dated 28.10.2021 and 01.02.2022, are made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

24.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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