

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-46004-2022

Date of decision : 16.11.2022

Mukhtiar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Kuldeep Singh, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.149 dated 16.09.2022 registered under Sections 306, 120-B I.P.C. at Police Station City Jalalabad, District Fazilka.

On 10.10.2022 this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, there is no suicide note and the FIR has been registered after a delay of 14 months inasmuch as the date of the occurrence was 16.07.2021 whereas, the date of registration of the FIR is 16.09.2022. It is further submitted that initially proceedings under Section 174 Cr.P.C. were initiated and as per DDR no.24 dated 17.07.2021 it had been recorded by the complainant that the deceased was mentally disturbed due to financial constraints. It is further submitted that Shanta Rani, the wife of the deceased, has been implicated on account of the fact that she is in possession of 4 marlas of land where she is presently residing and she has two more shops and the complainant, who is the father-in-law of

*Shanta Rani, is exerting pressure upon Shanta Rani and her children after the death of Kewal Singh to leave said house. It is stated that the petitioner is the father of Shanta Rani and the entire family has been falsely implicated and the present petitioner is not involved in any other case. Reliance has been placed upon the judgment of the coordinate Bench of this Court in “**State of Punjab vs. Kamaljit Kaur alias Bholi and another**” reported as **2008(2) RCR (Criminal) 562.***

Notice of motion for 16.11.2022.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioner 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 petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel has submitted that the petitioner has joined investigation and is 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 10.10.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 10.10.2022 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.

(VIKAS BAHL)
JUDGE

November 16, 2022

Davinder Kumar