

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 217

CRM-M-92-2022

Date of decision : 22.08.2022

Kuldeep Singh and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.G.P.S.Bal, Advocate, for the petitioners.

Ms.Himani Arora, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioners seek anticipatory bail in FIR No.0090 dated 30.05.2020 registered under Section 346 IPC (Sections 365 and 120-B IPC added and Section 346 IPC deleted later on) at Police Station Sadar Sri Muktsar Sahib.

On 15.02.2022 this Court had passed the following order: -

“Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.90 dated 30.05.2020 under Section 346 IPC (Sections 365 and 120-B IPC added later on while Section 346 IPC deleted vide Rapat No.17 dated 13.10.2021) registered at Police Station Sadar, District Sri Muktsar Sahib.

Learned counsel for the petitioners inter alia contends that it is a case of false implication, which is evident from the fact that on the fateful day when the son of the petitioners got up in the morning he found that his wife Ramandeep Kaur was missing. Though an extensive search was carried out however, it proved to be in vain, as a result of which, the son of the petitioners i.e. husband of Ramandeep Kaur was left with no other choice but to register the FIR in question wherein aforementioned facts clearly find reflected. Learned counsel submits that the petitioners had no role to play in the disappearance of Ramandeep Kaur. Rather, it was Ramandeep Kaur, who had been communicating on the mobile phone with one Baba namely Gurjinder Singh @ Baba Sheena and had also been in regular touch with one Suba Singh with whom she had illicit relations. Learned counsel submits that it was her paramour i.e. Suba Singh, who was involved in her disappearance and despite bringing all these facts to the notice of the Investigating Agency, they had failed to probe that angle.

Mr. K.S.Brar, Advocate, has put in appearance on behalf of the complainant. He undertakes to file his Power of Attorney in the registry of this court during the course of the day.

Adjourned to 17.05.2022.

Meanwhile, the petitioners are directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim

bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.

The State shall also file detailed reply with respect to the submissions made by the counsel for the petitioners qua the victim Ramandeep Kaur having been in constant touch with one Baba namely Gurjinder Singh @ Baba Sheena and one Suba Singh with whom she was allegedly having illicit relations.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioners have joined and cooperated with the investigation and that their custodial interrogation is not required by the State.

After considering the above submissions made on behalf of the petitioners as recorded in the afore quoted order and the afore-referred statement made by learned State counsel, the order of this Court dated 15.02.2022, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

22.08.2022

shamsher

[DEEPAK SIBAL]
JUDGE

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