

CRM-M-3929-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(106)

CRM-M-3929-2023.
Date of Decision:-25.01.2023.

Shingara Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

ALOK JAIN, J. (Oral)

The present petition is for grant of anticipatory bail to the petitioner in FIR No.01 dated 03.01.2023 under Section 306 of IPC, registered at Police Station Thuliwal, District Barnala.

Mr. Gurbir Singh Sidhu, Advocate, has put in appearance on behalf of the complainant and filed his *Vakalatnama*, which is taken on record.

Counsel for the petitioner submits that the deceased had made a categorical statement before the ASI that she had taken the medicine by mistake. He further submits that the allegations are vague and evasive and there is no specific allegation against the petitioner, who is the father-in-law and aged 75 years. On the strength of the above, counsel for the petitioner prays that the petitioner is entitled to the concession of anticipatory,

CRM-M-3929-2023

moreso, in the light of the fact that the husband of the deceased is already in custody.

Per contra, counsel for the State assisted by counsel for the complainant submits that there is specific allegation against the father-in-law (petitioner) as well as the husband, who instigated the deceased to take the medicine, which was having poison and being fed up from them, the deceased consumed the same.

Counsel for the complainant has submitted that initially the said statement was made before the police to save the matrimonial house, however, after the said statement and before the demise of the deceased, she made another statement to her father bringing out the truth on the ground of which the FIR was lodged.

After hearing the counsel for the parties, there is no ground to extend the concession of anticipatory bail to the petitioner, as there is a specific allegation in the FIR with regard to the role and instigation by the petitioner just before the time of occurrence and consumption of the said poisonous substance. The matter needs to be investigated.

Accordingly, the present petition for grant of anticipatory bail to the petitioner stands dismissed.

(ALOK JAIN)
JUDGE

January 25, 2023.

Sandeep

Whether speaking/reasoned:- Yes/No

Whether Reportable:- Yes/No