

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

202-I

Criminal Misc. No. M-15865 of 2023

Date of decision :-14.07.2023

Kamaljit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Navjot Singh, Advocate
for the petitioner.

Ms. Kanika Sachdeva, AAG, Punjab
Assisted by ASI Balwinder Singh.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.343 dated 29.11.2022, under Section 304-B read with Section 34 IPC, registered at Police Station Rama Mandi, District Police Commissionerate Jalandhar, Punjab.

On 20.4.2023, this Court by modifying the order dated 29.3.2023 had passed the following order :-

“This application has been filed seeking modification of the order dated 29.03.2023 passed by this Court granting interim bail to the applicant-petitioner, wherein a wrong fact, which was inadvertently mentioned during arguments, has been recorded. The order records that father-in-law and sister-in-law of the deceased were granted default bail by the trial Court vide order dated 01.03.2023. In fact, only sister-in-law of the

deceased was granted default bail by the trial Court vide order dated 01.03.2023.

In view of the facts afore-stated, application is allowed and order dated 29.03.2023 is modified by deleting word father-in-law' mentioned therein. The order shall now read as under:

This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.343 dated 29.11.2022 under Sections 304-B, 34 IPC registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner contends that the allegations levelled against the petitioner, who is brother-in-law of the deceased, are vague and general in nature. It has not been alleged that he subjected the deceased to any harassment soon before the death or otherwise. Prior to lodging of the FIR, there has never been any allegation of harassment to the deceased by the petitioner, who is staying separately with his family. It is also submitted that co-accused, sister-in-law of the deceased, was granted default bail by the trial Court vide order dated 01.03.2023.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 14.07.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest he shall be

released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Balwinder Kumar states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 20.4.2023 modifying the order dated 29.3.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

July 14, 2023

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No