

2023:PHHC:099575

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

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CRM-M-49569-2021 (O&M)

Date of decision : 02.08.2023

Karanpreet Singh @ Kamaljit Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Gursewak Singh, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

While issuing notice of motion, following order was
passed:-

“Learned counsel for the petitioner submits
that the suicide note is not having the signatures of
the deceased and the FSL report is still awaited.
Moreover, co-accused, Manpreet Kaur has already
been granted ad interim anticipatory bail, vide order
dated 23.11.2021 passed by this Court.

Notice of motion.

On the asking of this Court, Mr. Sandeep
Kumar, DAG Punjab, accepts notice on behalf of
the respondent-State and prays for time.

On his request, adjourned to 13.12.2021.”

2. Thereafter on 27.09.2022, arrest of the petitioner was
stayed observing as under:-

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“Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.114 dated 18.04.2021, registered at Police Station B-Division, Amritsar, District Amrtisar, under Sections 306 and 34 IPC.

As per the prosecution version, the petitioner and the co-accused used to harass Harwinder Singh @ Happy (since deceased) and had made complaints against the deceased; that at one stage, a compromise was effected between the parties, but the petitioner and the co-accused had resiled from the same.

Learned counsel for the petitioner contends that no complaint whatsoever had been made by the petitioner against the deceased and rather, the same had been filed by co-accused Manpreet Kaur, who has since been granted the benefit of anticipatory bail, vide order dated 24.02.2022 passed by this Court in CRM-M-38047-2021. He prays that on the ground of parity, the petitioner is also entitled to the benefit of anticipatory bail.

Adjourned to 03.02.2023.

Meanwhile, the petitioner is directed to join investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

3. Counsel for the petitioner relies upon order dated 24.02.2022 passed in **CRM-M-38047-2021**, whereby co-accused

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Manpreet Kaur has been granted pre-arrest bail.

4. Today, learned State counsel, on instructions from ASI Sarabjit Singh, has stated that pursuant to the order dated 27.09.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.

5. In view of above, the interim order dated 27.09.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. Petition stands disposed off.

7. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

02.08.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No