

CRM-M-52949-2023

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

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**CRM-M-52949-2023
Date of decision: 18.10.2023**

DALBARA SINGH AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Ms. Gurvir Kaur Gill, Advocate,
for the petitioners.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C., praying for grant of anticipatory/pre-arrest bail to the petitioners in case FIR No.118 dated 18.09.2023, registered at Police Station Nihal Singh Wala, District Moga, under Sections 306 and 34 IPC.

2. It is submitted by counsel for the petitioners that the case against the petitioners is totally false and concocted. The petitioners are not involved in the crime as alleged against them. Even as per the vague facts, as alleged by the deceased in his last statement, the dispute relates to trailer (trolla). Satnam Singh is stated to have taken away that trailer (trolla) after permission from the deceased who was a driver of the truck-trailer. However, Gurpreet Singh alias Gora Singh, owner of trailer(trolla) was not allegedly consulted by the deceased before permitting Satnam Singh to take away the same. As a result, the dispute had arisen and Gurpreet Singh alias

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Gora Singh had made a complaint against Satnam Singh. In the entire dispute, the petitioners being respectables of the area, were only to mediate between the parties so that the matter could be amicably settled. Beyond that, the petitioners have no relation either with the alleged trailer or with any of the parties, as such. There is no other case pending against the petitioners. The petitioners shall join the investigation as and when called by the police. Therefore, the petitioners deserve to be protected against their arrest.

3. Notice of motion.

4. On the asking of this Court, Mr. Sandeep Singh, Addl. A. G. Punjab, accepts notice on behalf of respondent-State.

5. It is submitted by counsel for the State, being instructed by HC Sikander Singh that Jagjit Singh (since deceased) was admitted in the hospital on 03.09.2023 with a history of consumption of intoxicant/poison and he died on 17.09.2023. However immediately on admission in the hospital, he made a statement before the police naming several persons, including the petitioners, who harassed him, leading him to commit suicide. However, it is not disputed that even the deceased had mentioned that the dispute was with regard to trailer and that the petitioners have no concern with the said truck-trailer, in any manner, whatsoever.

6. In view of the above, but without commenting any further on the merits of the case, the present petition is allowed. In the event of arrest, the petitioners be released on bail, subject to their furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when

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called upon to do so and shall abide by the conditions as provided under
Section 438 (2) Cr.P.C.

18.10.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No