

CRM-M-19118-2024 and other connected cases -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 04.07.2024

(1) CRM-M-19118-2024

Rajbir Singh and Anr.
..... Petitioners
V/S
State of Haryana
..... Respondent

(2) CRM-M-27013-2024

Saroj
..... Petitioner
V/S
State of Haryana
..... Respondent

(3) CRM-M-29827-2024

Vishal
..... Petitioner
V/S
State of Haryana
..... Respondent

(4) CRM-M-29868-2024

Vikas
..... Petitioner
V/S
State of Haryana
..... Respondent

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Ashish Pundir, Advocate for the petitioner(s).
Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

AMARJOT BHATTI J. (ORAL)

1. The petitioners- Rajbir Singh, Karamvir, Saroj, Vishal and Vikas have
filed separate petitions under Section 438 Cr.P.C. seeking anticipatory bail in FIR

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No.53 dated 23.02.2023, under Sections 306, 34 of IPC, registered at Police Station Saha, District Ambala. These petitions have arisen out of the same FIR, therefore, all the aforesaid four petitions are taken up together for disposal.

2. The facts of the case are that FIR was registered on the statement of Kamlesh Kumari sister of deceased Madan Pal s/o Jitram alleging that her brother was doing private job in a factory. He was seriously ill for the last fifteen years. On 23.02.2023 at about 8:15 AM, she received telephonic call that Madan Pal had expired. Her brother was being harassed by his sons namely Vishal and Vikas, his wife Suresh Devi, Saroj w/o Shish Pal, Karambir s/o Baljit and Rajbir and for this reason he was mentally disturbed. Her brother was given beating and they tried to strangle him. Earlier Madan Pal had filed a complaint regarding the harassment and he had also disclosed this fact to her many times. The complainant alleged that her brother was physically and mentally tortured by the aforesaid persons. As a result, he took this grave step of committing suicide.

3. Learned counsel for the petitioner argued that all the allegations levelled against them are false. It is pointed out that Vishal and Vikas are sons, Saroj is sister-in-law of deceased victim whereas Rajbir Singh and Karambir are brothers-in-law of the deceased. Deceased Madan Pal was mentally ill. Petitioners had no role in the death of deceased victim. There is no suicide note recovered by the police. The allegations are false and baseless. There is no abatement on their part in the commission of suicide by deceased Madan Pal.

4. Learned counsel representing the State filed status report in the aforesaid bail applications. As per the post mortem report and the opinion of the doctor no poison was detected and cause of death was Asphyxia due to hanging. It is pointed out that investigation has been completed and challan will be

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presented before the Illaqa Magistrate. In the status report it is pointed out that the allegations are serious, therefore, the petitioner(s) do not deserve to be released on anticipatory bail. It was further alleged that their custodial interrogation was also required. However, ASI Vijay Kumar, No.2/Ambala of Police Station Saha, District Ambala present in the Court stated that all the petitioners have joined the investigation as per the directions of this Court and they are not required for any other purpose.

5. I have considered the aforesaid facts. As per record, aforesaid petitioner(s) were granted interim bail vide separate orders and accordingly all the petitioners have already joined the investigation. Status report further indicates that investigation has been completed and challan is to be presented shortly.

6. Considering the factual position, no purpose would be served by sending the petitioners behind the bars. They are still ready to join the investigation as and when required. Therefore considering the aforesaid facts, the ad-interim bail already granted to petitioner(s) Rajbir Singh and Karamvir vide order dated 19.04.2024, Saroj vide order dated 27.05.2024, Vishal vide order dated 13.06.2024 and Vikas vide order dated 14.06.2024 stands confirmed subject to the conditions enshrined under Section 438(2) Cr.P.C.

7. The petitions are accordingly accepted.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

04.07.2024.*Sunil Devi*

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No