



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-19663-2024

Date of decision: 05.09.2024

Kuldeep Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.33 dated 01.06.2019 under Sections 302, 34 of the Indian Penal Code, 1860, registered at Police Station Amir Khas, District Fazilka.

2. On 22.04.2024, learned counsel for the petitioner had made the following submissions:-

“Learned counsel for the petitioner submits that it is a matter of record that the marriage of the parties had been dissolved under Section 13-B of the Hindu Marriage Act prior to the occurrence in question. Hence, there was no occasion for the deceased to be present or even being administered poison by her former husband and his family and that too at her former matrimonial home. He has further submitted that it was after two days of the alleged administration of poison, the deceased was admitted in the hospital by her parental family; in case she had actually been administered poison as alleged, the complainant party would not have chosen to sit quiet for two days and would have at least reported the matter to the police. Learned counsel has also brought to the notice of this Court that after the alleged crime was reported to the police, investigation was carried out, however, no



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incriminating material came to the fore against the petitioner or his family. He submits that thrice cancellation report was prepared and filed by the investigating agency, however, it was not accepted by the trial Court.”

3. Thereafter, vide order dated 27.05.2024, the petitioner was directed to surrender before the learned Trial Court within ten days, whereupon he was to be admitted on interim bail on his furnishing bail bonds to the satisfaction of the learned Trial Court.

4. Learned counsel for the petitioner submits that in compliance of order dated 27.05.2024, the petitioner has appeared and surrendered before the learned Trial Court, and thereafter released on interim bail vide order dated 28.05.2024. In support, learned counsel has placed on record a copy of order dated 28.05.2024 of the learned Trial Court wherein the said fact stands confirmed.

5. Learned State counsel, on instructions from ASI Gurmej Singh, does not dispute the factum of the petitioner having appeared and surrendered before the learned Trial Court, and thereafter released on bail.

6. In view of the above, the petition is allowed and interim order dated 27.05.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

05.09.2024

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No