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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24084-2024

Date of decision: 30.07.2024

Suraj Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Vipul Aggarwal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.101 dated 14.09.2023 (Annexure P-1) under Section 306 of IPC registered at Police Station Sadar Batala, District Batala.

Mr. Onkar Singh Batalvi, Advocate puts in appearance on behalf of respondent No.2 and files his *vakalatnama* in the Court today which is taken on record.

On 14.05.2024, the following order was passed:-

'Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case FIR No. 101 dated 14.09.2023, under Section 306 of IPC registered at Police Station Sadar Batala, District Batala on the basis of statement recorded by the complainant-Captain Singh alleging therein that the victim Jyoti Kaur was his elder sister who was married with the present petitioner about 15 years back. He alleged that the petitioner is a drug addict who does not do any work. The victim was very much fed up from him and used to confide with him that she would commit suicide as petitioner also used to physically assault her. He further recorded that his sister had consumed some poisonous substance on 13.09.2023 and had died due to that reason and that her suicide had been abetted by the petitioner and his mother. After registration of the FIR, investigation is underway.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, it was the complainant who had borrowed an amount of Rs.30,000/- from the victim and was not returning the same despite the fact that the victim had been asking for returning the same time and again. Even on 13.09.2023, she had gone to the house of the complainant for taking her money back along with their children and they had a scuffle with her. The victim while on



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the way back had bought some medicine and had consumed it. It is argued that in fact it is the complainant who is responsible for death of the victim.

Notice of motion.

Learned State counsel who has advance notice of the petition seeks some time to file status report.

On oral request of the learned counsel for the petitioner, the complainant is ordered to be impleaded as respondent no.2.

Amended memo of parties be filed.

Adjourned to 30.07.2024.

Notice to respondent no.2 be issued for the date fixed. In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.'

Learned State counsel has filed status report dated 29.07.2024 which is taken on record and on instructions from ASI Amarjeet Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

Learned counsel appearing for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner on the ground that he is involved in a heinous crime.

In view of the statement of learned State counsel, order dated 14.05.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

30.07.2024

Neha

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