



CRM-M-29517-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29517-2024

Date of decision : September 12, 2024

Mishra Singh and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Yagsimant Attri, Advocate, for the petitioners
Mr. Sahil R. Bakshi, AAG, Punjab
Mr. MS Cheema, Advocate, for the complainant

KULDEEP TIWARI, J. (ORAL)

1. On 6.6.2024, the Coordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 35, dated 31.03.2024, registered at Police Station City Samana, District Patiala, under Sections 306 and 506 of the IPC read with Section 34 thereof.

2. Learned counsel for the petitioners inter alia contends that petitioner No. 2 is the brother of the deceased Sukhdev Singh, aged 65 years, however, petitioner No. 1 is the son of petitioner No. 2. Both have been falsely implicated in this case with the allegations that the brother of petitioner No. 2 committed suicide by



CRM-M-29517-2024

2

consuming poisonous substance as he was not permitted to use the tube-well/electric connection for the irrigation of the fields. It is contended that in fact the deceased, Sukhdev Singh along with other brothers have executed an affidavit dated 18.06.2019 (Annexure P-2) thereby giving consent for transfer of the said tube-well/electric connection in the name of petitioner No. 2.

2. It is further contended that there is no suicide note and even there was no civil litigation pending qua the aforesaid tube-well/electric connection.

3. Notice of motion.4. Having received advance copy of the petition, Mr. Malkit Singh Dhillon, D.A.G., Punjab, accepts notice on behalf of the respondent-State and contends that there were previous complaints having been filed at the instance of the deceased and seeks an accommodation to place on record the said documents.

5. Adjourned to 13.06.2024.”

2. Thereupon, vide order dated 6.8.2024 passed by the Coordinate Bench, the petitioners were directed to appear before the SHO/Investigating Officer to join the investigation and in the event of their arrest, they shall be released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency concerned.

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and they is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order

**CRM-M-29517-2024****3**

dated 6.8.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

September 12, 2024**'tiwana'****(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No