

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

204

CRM-M-45412-2023

Date of Decision: 06.02.2024

Gurjinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Sarju Puri, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 54 dated 23.06.2023 registered under Section 306 read with Section 34 IPC at Police Station Rahon, District SBS Nagar.

On 15.11.2023, when this case was listed for hearing, following order has been passed by a co-ordinate Bench of this Court:-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.54 dated 23.06.2023, registered under Sections 306/34 IPC at Police Station Rahon, District SBS Nagar.

2. Learned counsel for the petitioner contends that the marriage of the petitioner with the deceased was solemnized in December, 2020. As per the allegations, the deceased was given beatings by the petitioner as he was habitual of consuming intoxicants. In fact, the petitioner along with the deceased had gone outside to have dinner on a day prior to the occurrence. A minor argument took place between them. On return back to the house, the deceased slept in the

separate room. On the following day in the morning, she had visited Gurudwara and had met the villagers. Her behaviour was normal but she committed suicide. Furthermore, the complainant is the uncle of the deceased, who wanted to grab the shop owned by the petitioner.

3. On the previous date of hearing, learned State counsel had sought adjournment to verify with regard to the allegations of the petitioner with regard to the shop inherited by the deceased from her parents which the complainant i.e her uncle intended to grab.

4. On instructions from ASI Rashpal, learned State counsel submits that the matter has been looked into and no dispute with regard to the shop has emerged. However, it has also been submitted that the deceased was not owner of any shop. However, it has not been disputed that the father of the deceased had passed away in the year 2003 and he was the owner of the shop which may have been inherited by the deceased.

5. Adjourned to 06.02.2024.

6. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 15.11.2023 passed by this Court, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Manoj Kumar, states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation; and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 15.11.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the

investigation and co-operate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

06.02.2024
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(NIDHI GUPTA)
JUDGE

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