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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-65273-2023

Date of Decision: 10.01.2024

Kamaljit Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. K.B.S.Mann, Advocate
for the petitioner.

Ms. Navreet K. Barnala, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 Cr.P.C. with a prayer to grant anticipatory bail to him in case FIR No.279 dated 21.11.2022, registered under Sections 306, 506, 34 of IPC, at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case as unfortunately he happens to be father of Avneet Kaur. Learned counsel for the petitioner further contends that there were differences between the deceased and Avneet Kaur and the petitioner had no concern with the matrimonial life of both of them. He further contends that the ingredients of the offences under Section 306 and 506 of IPC are completely absent in the present case and the custodial interrogation of the petitioner is not required. He further relies upon the order of even date passed by this Court in CRM-M-54999 of 2023, whereby the concession of anticipatory bail has been granted to similarly situated co-accused Money @

Nishu.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are specific allegations against the present petitioner. However, she admits that similarly placed co-accused Money @ Nishu has been granted the concession of anticipatory bail by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, it would be debatable as to whether the offence under Section 306 IPC is made out or not. Still further, similarly placed co-accused has already been granted the concession of anticipatory bail by this court.

6. Consequently, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

10.01.2024
hemlata

(N.S.SHEKHAWAT)
JUDGE

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