

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-98-2024 (O&M)
Date of Decision: 03.04.2024

Nishan Singh & another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Anupender Brar, Advocate, for
Mr. Manbir Singh Basra, Advocate, for the petitioners.

Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
80	16.09.2022	Kahnuwan, District Gurdaspur	306, 34 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of anticipatory bail in respect of
aforementioned FIR.
2. At the time of issuance of notice of motion on 08.01.2024, the following
order was passed:

“The petitioners seek grant of anticipatory bail in respect of a case
registered vide FIR No.80, dated 16.9.2022 registered at Police Station
Kahnuwan, District Gurdaspur, under Sections 306, 34 of Indian Penal
Code, 1860.

The FIR was lodged at the instance of Joginder Singh, wherein it is
alleged that his son Kulwinder Singh was married to Harpreet Kaur. It is
alleged that about 1½ years back Harpreet Kaur left her matrimonial
home after quarrelling with his son. It is further alleged that when the
complainant and his son Kulwinder Singh went to parental home of
Harpreet Kaur, the members of family of Harpreet Kaur used

unparliamentary language towards them and told them to leave the house and on account of which the complainant’s son became upset and ultimately committed suicide by consuming poison.

Learned counsel for the petitioners submitted that the FIR is based on false allegations and as a matter of fact when the complainant stepped into the witness box, he resiled from his statement. It has further been submitted that the remaining co-accused i.e. Harpreet Kaur, her father Niranjan Singh and mother Manjit Kaur @ Simarjit Kaur have already been granted regular bail and that the petitioners, who are brothers of Harpreet Kaur, thus deserve the concession of anticipatory bail.

Notice of motion for 3.4.2024.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, both the petitioners have since joined investigation and are not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein both the petitioners are stated to have joined investigation and are not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 08.01.2024 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

03.04.2024

(GURVINDER SINGH GILL)
JUDGE

Vimal

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