

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103 CRA-S-3917 of 2023 (O&M)
Date of Decision:02.01.2024

Bhupinder Singh

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON’BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Ms. Himani Anand, Advocate,
for the appellant.

SUDEEPTI SHARMA, J. (Oral)

1. By way of filing this appeal, the appellant has challenged order dated 13.12.2023 passed by learned Addl. Sessions Judge, Yamunanagar at Jagadhri, dismissing the application filed by him for grant of anticipatory bail in case FIR No.132 dated 31.05.2021, under Sections 306 IPC and Section 3(1)(s) and 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Chhachhrauli (Yamuna Nagar).

2. As per the allegations levelled by the complainant (Shiksha Devi) in the FIR, on 25.05.2021 at 7:00 PM, her husband was called for a Panchayat by the Sarpanch of the village. During the Panchayat, Arinder

Singh-father of the Sarpanch is alleged to have insulted the husband of the complainant by using caste related words and hit him on the head with his shoe in front of all. On 31.05.2021 the husband of the complainant left the house at 4/5:00 AM. Later on, the complainant was informed that her husband had committed suicide by consuming poison.

3. The contention of learned counsel for the appellant is that on the basis of suicide note left behind by the husband of the complainant (Shiksha Devi), the present FIR has been lodged against the appellant. Further that as per the FSL report, no poison was detected. She further submits that the appellant previously also joined the investigation and he is now ready and willing to join the investigation and cooperate with the investigating agency.

4. Notice of motion.

5. Mr. Saurabh Mago, learned DAG, Haryana accepts notice on behalf of the State and Mr. Sarvesh Kumar Gupta, Advocate, for Mr. G. S. Shahpuri, Advocate has also appeared on behalf of the complainant and both of them have no objection in case the appellant is released on anticipatory bail.

6. In view of the aforesaid and without commenting anything on the merits of the case, the present appeal is hereby accepted and the impugned order dated 13.12.2023 passed by learned Addl. Sessions Judge, Yamunanagar at Jagadhri is hereby set aside.

7. The appellant is admitted to anticipatory bail and shall be released on bail in the event of his arrest subject to satisfaction of the IO/arresting officer on following conditions:-

- “a)

the appellant joins the investigation as and when so required by the Investigating Officer.
- b).

he shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court.
3.

he shall further comply with the conditions stipulated in Section 438(2) Cr.PC.
8.

Disposed of accordingly.

(SUDEEPTI SHARMA)
JUDGE

January 02, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No