

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-41288-2014

Date of decision : 23.02.2015

Pawan Sharma and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Nakul Sharma, Advocate
for the petitioners.

Mr.Gazi Mohammad, DAG, Punjab.

Mr.Kamal Narula, Advocate
for the complainant.

REKHA MITTAL, J.(ORAL)

Counsel for the petitioners states that the petitioners have already joined investigation in compliance with interim bail granted by this Court and they are ready to face proceedings in accordance with law. It is further submitted that in the alleged suicide note left behind by the deceased allegations have been levelled against six persons for causing injuries to him on 01.07.2012 and the suicide has been committed by the deceased Dev Sunit Bhullar on 02.07.2012. It is further argued that Santosh, mother-in-law and three sisters-in-law indicted in the crime by way of suicide note have been declared to be innocent and action is sought to be taken only against the present petitioners, who are co-brothers of deceased Dev Sunit Bhullar. It is further argued that custodial interrogation of the petitioners is not required and they are ready to face proceedings without any default.

Counsel for the State, on instructions from ASI Balwinder Singh, has submitted that the petitioners have already joined investigation and their custodial interrogation is not required.

Counsel for the complainant would submit that keeping in view the gravity of allegations against the petitioners, they do not deserve to be allowed benefit of bail in anticipation of arrest.

Perusal of the record reveals that there was no previous litigation pending between the parties and the deceased never expressed any grievance against any of the person who have been attributed a role as per the suicide note. The allegations as per the suicide note are that the persons named therein entered his house and caused injuries to him on 01.07.2012 but he committed suicide on 02.07.2012 by consuming some poison. The petitioners have already joined investigation and their custodial interrogation is not required by the State. They are read to face proceedings without any default.

In view of the above, the petition is allowed and the interim bail granted to the petitioners is made absolute, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(REKHA MITTAL)
JUDGE

February 23, 2015.

DK