

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

CRM-M -13564 of 2016 (O&M)

Date of decision: 02.08.2016

Mohan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Antal, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Vijay Kumar.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.55, dated 15.04.2015, registered under Section 306 IPC, at Police Station City Kharar.

On 25.04.2016, this Court had passed the following order:-

“Petitioner apprehends arrest in a case registered at the instance of Maninder Singh alleging that his father had committed suicide on account of abetment by the petitioner.

Counsel for the petitioner submits that the petitioner has been involved in the case on the basis of suicide note whereas the dead body of the father of the complainant has not yet been recovered.

With the assistance of counsel for the petitioner, I have gone through the contents of the suicide note wherein it is indicated that the deceased had committed suicide harassed by the act of petitioner having indulged in unnecessary litigation.

Counsel for the petitioner submits that as a matter of fact, there has not been any litigation.

Notice to the Advocate General, Punjab, for 9.5.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 30.4.2016. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.

The Investigating Officer shall make available the corroborative material collected in support of the averments in alleged suicide note on next date of hearing to enable this Court to determine prima facie culpability of the petitioner.”

It is contended that in pursuance of the order dated 25.04.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 25.04.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

02.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No