

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.15817 of 2016

Date of Decision:-23.05.2016

Birender.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Shiv Kumar, Advocate for the Petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
assisted by SI Des Raj.

Mr. Navin Kaushik, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Birender in case FIR No.130 dated 7.3.2014 for offence punishable under Section 306 read with Section 34 of Indian Penal Code registered with Police Station Sadar, Palwal, District Palwal.

As per allegations Attar Singh (since deceased) was summoned in the Panchayat due to mis-conduct of his son Sanjay having committed theft in the house of petitioner-Birender son of Khazan Singh. On account of abuses hurled and slaps inflicted on the asking of co-accused-Thakur Lal and co-accused Bir Singh, said Attar Singh committed suicide due to humiliation suffered by him.

It is contended that regarding the theft of jewellery in the house of the petitioner-accused FIR No.113 dated 26.02.2014 was lodged against unknown persons and not against the deceased Attar Singh. It is thus submitted that no offence under Section 306 IPC is made out against the accused.

Learned Counsel for the petitioner submits that pursuant to the interim order passed by this court petitioner has joined the investigation.

Learned State counsel assisted by SI Des Raj submits that pursuant to the interim order passed by this court petitioner has joined the investigation and is no longer required for custodial interrogation.

Learned Counsel for the complainant has vehemently opposed the confirmation of anticipatory bail granted by this Court.

In view of the above, interim protection/pre-arrest bail granted vide order dated 09th of May, 2016 is made absolute.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

May 23, 2016
Vinay