

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-18822 of 2016

.....

Date of decision:2.8.2016

Jaspal Sharma

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. D.S. Malwai, Advocate for the petitioner.

Mr. Arshdeep S. Kler, Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.68 dated 13.5.2016 registered
for the offences under Sections 306 and 34 IPC at Police Station Dhuri,
District Sangrur.

Notice of motion has been issued in this case.

Mr. Arshdeep S. Kler, learned Deputy Advocate General,
Punjab has put in appearance on behalf of the respondent-State and
contested this petition.

I have heard learned counsel for the petitioner and learned
Deputy Advocate General, Punjab appearing for the respondent-State and
have gone through the record.

From the record, I find that in the FIR allegation against the
present petitioner Jaspal Sharma is only that Sunny (since deceased)

borrowed some amount and issued one cheque of Union Bank of India. He could not return the amount to Jaspal Sharma and on that account Jaspal Sharma has sent a legal notice through his counsel regarding ₹35,000/-. At this stage, it is debatable whether this amounts to abetment to commit suicide or not. The present petitioner has already joined the investigation. He is no more required for custodial interrogation. Nothing is to be recovered from him. No useful purpose will be served by sending the petitioner to custody.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 27.5.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 2, 2016.

(Inderjit Singh)
Judge

hsp

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