

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-25962 of 2016

Date of Decision: 03.10.2016

Jaskaran Singh @ Kalsi

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Sumer Singh Brar, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.82 dated 22.4.2012 under Sections 307, 452, 482, 148, 149, 120-B IPC and Section 302 IPC (added later on) registered at Police Station Division No.7, Jalandhar, District Jalandhar.

Learned counsel for the petitioner states that pursuant to order 1.8.2016 of this Court, the petitioner has joined investigation. He further submits that the order dated 15.2.2016 passed in CRM-38737-2015 in CRA-S-4153-SB-2013 has been challenged by the petitioner before Hon'ble the Apex Court and vide order dated 29.7.2016, Hon'ble the Apex Court has stayed the operation of order dated 15.2.2016.

Vide order dated 15.2.2016 passed in CRM-38737-2015 in CRA-S-4153-SB-2013, this Court had directed the SHO Division No.7, Jalandhar to initiate further investigation under Section 173(8) CrPC in FIR No.82 dated 22.4.2012 under Sections 307, 452, 482, 120-B, 148 and 149 IPC. The Commissioner of Police, Jalandhar was also directed to depute a Special Messenger along with letter of request to contact the embassy of Burundi, East Africa to provide the death certificate, port-mortem report of deceased along with cause of death. It was further directed to continue to pursue the matter and submit status report to this Court.

Learned counsel for the petitioner submits that in view of order dated 29.7.2016 passed by Hon'ble the Apex Court, the present petition no more survives. However, he submits that the petitioner be granted liberty to revive this petition in case any cause of action still survives.

Learned State counsel, on instructions from ASI Gurpal Singh, submits that since the petitioner has joined investigation, the matter can be disposed of, especially in view of the fact that the matter is pending consideration before Hon'ble the Apex Court.

Accordingly, the present petition is disposed of with liberty aforesaid.

October 03, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No