

CRM-M-31906-2016

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

CRM-M-31906-2016

Date of Decision: 18.10.2016

Ashokvir and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Rai, Sr. Advocate with
Mr. Gautam Dutt, Advocate for
the petitioners.

Ms. Shivali, AAG, Punjab.

Mr. Karanjit Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners, Ashokvir and Ashok Kumar, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.107 dated 27.07.2016, registered at Police Station City Gurdaspur, District Gurdaspur, under Section 306 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel appeared on behalf of the respondent-State and the complainant also put in appearance through his counsel. They contested this petition.

I have heard learned counsel for the petitioners; learned State counsel as well as learned counsel for the complainant and have

CRM-M-31906-2016

gone through the record.

From the record, I find that as per the suicide note, the present petitioners alongwith co-accused took the money from deceased- Jyoti Seth, but they were not returning the same and were giving threats to him. The names of 11 persons have been mentioned in the suicide note. There is no specific allegation regarding threat given by the present petitioners. There is only a general averment.

In pursuance of the interim order dated 08.09.2016, the petitioners have already joined the investigation, as stated. They are now not required for custodial interrogation.

At this stage, without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case; keeping in view the facts and circumstances of the present case and no useful purpose would be served by sending them to custody, I find merit in this petition and the same is allowed. The interim order dated 08.09.2016, granting interim bail to the petitioners, is made absolute. However, the petitioners 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.

18.10.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No