

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

CRM-M -33661 of 2016 (O&M)
Date of decision: 17.12.2016

Bhageshwar Gupta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Aggarwal, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Karnail Singh.

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 FIR No.107 dated 08.08.2016, registered under Section 306 of IPC, at Police Station Sadar Patiala, District Patiala.

On 17.10.2016, this Court had passed the following order:-

“It is contended that the agreement to sell in question is dated 31.01.2000, to which the deceased is not the signatory. The FIR has been registered in the year 2016. During the course of investigation, the complainant made a statement in the proceedings under Section 174 Cr.P.C. that the death in the given case is natural. The foundation of the FIR registered in the year 2016 is a suicide note, which was provided to the prosecution agency after one year of the

death.

The petitioner is allowed to join the investigation.

Post again on 29.11.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without previous permission of the Court.”*

It is contended that in pursuance of the order dated 17.10.2016, 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 17.10.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

17.12.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No