

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-40464-2016

Date of Decision: 13.12.2016

Bitu Suri @ Ashwani Suri

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajesh Kapila, Advocate,
for the petitioner.

Mr. P. S. Grewal, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner, Bitu Suri @ Ashwani Suri has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.107 dated 27.07.2016, registered at Police Station City Gurdaspur, under Section 306 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the suicide note, the present petitioner along with co-accused took money from deceased-Jyoti Seth, but the accused were not returning the same and 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 petitioner. There is only a general averment.

In pursuance of the interim order dated 11.11.2016 passed by this Court, the petitioner has already joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 11.11.2016, 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.

13.12.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

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