

*IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 4212 of 2016  
Date of decision: 24.2.2016

Pardeep Kumar

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. GBS Dhillon, Advocate.  
Ms. HK Athwal, DAG, Punjab.

**M.M.S.BEDI,J.**

The petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Jagdish Lal alleging that on 27.11.2013 his grand father Kashmiri Lal was pushed from the roof by his step mother Parveen Bala and the petitioner. The petitioner is brother-in-law of Parveen Bala.

Pursuant to the interim order, the petitioner has already joined the investigation. On the instructions of ASI Avtar Singh it has been informed that the prosecution agency has presented challan against co-accused of the petitioner u/s 306 IPC. In view of challan having been presented for abetment of suicide by Kashmiri Lal, the testimony of the witnesses i.e. Reshab and Jagdish Lal regarding deceased having been pushed from the roof will raise debatable issues regarding the contradictory stand of the prosecution witnesses.

A perusal of the police file indicates that the petitioner has not been challaned and his name has been kept in column No.2. In view of the said circumstances, it does not appear to be a case of custodial interrogation of the petitioner at this stage.

The petition is allowed and it is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. This order will remain operative till formation of any opinion by the court regarding involvement of the petitioner. It will be open to the petitioner to approach this court for further relief in case, he is made to join any proceedings, on the basis of the evidence produced before the court or otherwise.

February 24 ,2016  
TSM

( M.M.S.BEDI )  
JUDGE