

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

CRM-M -10872 of 2017 (O&M)
Date of decision: 21.08.2017

Jai Parkash

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. B.S. Aulakh, Advocate for the petitioner(s).

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by ASI Jaswinder 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.79 dated 17.05.2010, registered under Section 306 read with Section 34 of IPC, at Police Station City Malout, District Sri Muktsar Sahib.

On 11.05.2017, this Court had passed the following order:-

“Learned State counsel seeks time to get some instructions in the matter.

Adjourned to 21.08.2017.

In the meantime, the petitioner is directed to join investigation and appear before the investigating officer. In the event of arrest, the petitioner be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, the petitioner shall join investigation as and when called upon to do so and shall remain bound by the following conditions enumerated under Section 438(2)

Cr.P.C.

- 1. Petitioner shall make himself available for interrogation by a police officer as and when required;*
- 2. Petitioner 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;*
- 3. Petitioner shall not leave India without the previous permission of the Court;*
- 4. Such other condition as may be imposed under subsection (3) of section 437, as if the bail were granted under that section.”*

It is contended that in pursuance of the order dated 11.05.2017, the petitioner has joined the investigation. Even at one point of time, a compromise had been effected between the parties.

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 11.05.2017, 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.

21.08.2017

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(JITENDRA CHAUHAN)
JUDGE

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