

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

CRM No. M-15170 of 2017.

Date of Decision: 04.07.2017.

Hardial Singh @ Gyani Ji

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Ms. Satinder Kaur, Advocate,
for the petitioner.

Ms. Bhawna Gupta, DAG Punjab
assisted by ASI Gurnam Singh.

Mr. J.S. Dadwal, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438
the Cr.P.C seeking anticipatory bail in case FIR No. 86 dated
30.05.2014 registered under Section 306 read with Section 34 IPC at
Police Station Sadar Kharar, District SAS Nagar (Mohali).

On 02.05.2017 this Court had passed the following
order:-

“Learned counsel for the petitioner contends that offence
under Section 306 IPC has been wrongly invoked in the
present FIR. Immediately after the occurrence, the parties had
entered into compromise, Annexure P-2. The FIR was
registered on 30.05.2014. The death is not relatable to the
reasons stated in the FIR. The petitioner is 83 years of age.

Notice of motion for 04.07.2017.

The petitioner is directed to join the investigation.

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 prior permission of the Court.”

It is contended that in pursuance of the order dated 02.05.2017, the petitioner has joined the investigation.

Learned State counsel, on instructions, states that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of above, the order dated 02.05.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioner to the satisfaction of the CJM/Duty Magistrate concerned.

The petition stands allowed.

04.07.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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