

CRM-M-16346-2017

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

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Date of Decision: 01.11.2017

Jaswinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Jaswinder Singh 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.24 dated 02.02.2017, registered at Police Station Mataur, SAS Nagar, under Sections 304, 201 and 34 of the Indian Penal Code.

Notice of motion has been 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 perusal of FIR, it shows that there was no intention to kill Harpreet Singh Teenu @ Happy. The only allegation against the

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present petitioner is that he alongwith others left Harpreet Singh Teenu in Phase 3-A, Mohali near Hanuman Park, rather neither got him admitted in the hospital nor left him at the house.

Learned State counsel stated that as per the FSL report, no poison was found in viscera, rather excessive liquor was found.

In pursuance of the interim order dated 23.08.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 23.08.2017, 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.

01.11.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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