IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-44201-2016
Date of decision:20.01.2017

Dharamvir

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vishal Nehra, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

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INDERJIT SINGH, J.

Petitioner-Dharamvir 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, District Gurdaspur, under Section 306 of 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 as well as other co-accused took the money from deceased-Jyoti Seth, but they were not returning the same and were giving threats to him.

Parveen Kumar
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I attest to the accuracy and
authenticity of this document

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 09.12.2016, the petitioner has already joined the investigation, as stated. They are now not required for custodial interrogation.

At this stage, without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case; keeping in view the facts and circumstances of the present case and no useful purpose would be served by sending him to custody, I find merit in this petition and the same is allowed. The interim order dated 09.12.2016, 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.

20.01.2017 **(INDERJIT SINGH)**
parveen kumar **JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No

Parveen Kumar
2017.01.21 14:12
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