

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45079-2016
Date of decision-22.02.2017

Kuldeep Singh
Vs.
State of Haryana

...Petitioner

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Sushma Verma, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana assisted by
ASI Subhash Singh.

Mr. O.S.Batalvi, Advocate for the complainant.

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.72 dated 07.05.2016 registered under Section 306 of Indian Penal Code (in short 'IPC') at Police Station Ambala Sadar, District Ambala.

On 17.12.2016, this Court had passed the following order:-

“Contents that the death occurred on 15.04.2016, whereas the FIR was registered on 07.05.2016 on the basis of suicide note which is yet to be proved. Otherwise the deceased being under heavy debt was under depression. No case under Section 306 of IPC is made out against the petitioner.

Notice of motion.

At this stage, Mr. O.S. Batalvi, Advocate appears and accepts notice on behalf of the complainant.

List again on 02.02.2017.

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 17.12.2016 the petitioner has joined the investigation.

The learned State counsel on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation. However, at this stage, learned counsel for the complainant states that the complainant is being threatened and intimidated by the petitioner repeatedly and she is being dissuaded not to appear in the Court proceedings.

In the circumstances, State is directed to take all necessary action to safeguard the life and liberty of the complainant and ensure that petitioner does not influence, coerce or intimidate the complainant and cause any impediment in the process of justice.

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 17.12.2016 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.

February 22, 2017
vanita

(JITENDRA CHAUHAN)
JUDGE

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