

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

CRM No.M-45336 of 2016 (O&M)

Date of decision: January 13, 2017

Amit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen, Advocate for
Mr. J.S.Hooda, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Amit Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.752 dated 20.10.2016, registered at Police Station Sadar Palwal, under Section 306 of Indian Penal Code (Sections 216 and 34 of Indian Penal Code added later on)

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition. Police record has also been perused.

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 the present petitioner is not named in the FIR nor his name is mentioned in the suicide note. All the allegations for abetment to commit suicide are against Gajju etc. Learned State counsel submits that no role has been attributed to the petitioner in the FIR or

suicide note. The petitioner has already joined the investigation in compliance of order dated 19.12.2016, passed by this Court. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner 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 19.12.2016, 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.

January 13, 2017

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No