

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19476 of 2018
Date of Decision: 06.07.2018

Pardeep Kumar @ Lucky

....Petitioner

VERSUS

State of U.T. Chandigarh

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajeev Duggal, Advocate
for the petitioner.

Mr. Gautam Dutt, Addl. P.P. U.T. Chandigarh.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.79 dated 07.04.2018 registered for offences punishable under Sections 306/34 of Indian Penal Code, at Police Station Mauli Jagran, Chandigarh.

Heard.

Allegation against the petitioner is that he alongwith one Harpreet had taken loan from deceased-Dalbir Singh and was not returning the same. Due to this reason, deceased-Dalbir, who required money to send it to his daughter studying in New Zealand, committed suicide.

Learned Addl. P.P., U.T. Chandigarh submits that a suicide note was also recovered from pocket of the deceased in hospital. The matter is under investigation and the police is verifying the writing on that suicide note.

Keeping in view above facts but without expression any

opinion on merits of the case, I am of the opinion that custodial interrogation of the petitioner is not required for verification of the suicide note, as such, the instant petition is allowed. Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on bail subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

It is, however, made clear that in the event of petitioner not surrendering before the investigating officer within two weeks, the order allowing bail to him shall stand withdrawn automatically.

July 06, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No