

CRM-M-42837-2018

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

CRM-M-42837-2018

Date of Decision: 23.10.2018

Joginder Singh @ Jonny

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner 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.222 dated 28.10.2017, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib, under Sections 302, 506 and 201 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has 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 gone through the record.

As per the prosecution version, the present petitioner developed

illicit relations with the mother of complainant. There is allegation that the

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present petitioner alongwith co-accused killed the father of complainant by administering poison. Learned counsel for the petitioner submits that neither there is any post-mortem report, nor any other medical evidence to *prima facie* prove the same. He further contends that during investigation, the present petitioner was found innocent and now has been summoned under Section 319 Cr.P.C.

In pursuance of the interim order dated 28.09.2018, passed by this Court, the petitioner has already appeared before the trial Court and has been released on interim bail. He is only to face the trial. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.09.2018, granting interim bail to the petitioner, is made absolute.

23.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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