

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

**Crl. Misc. No.M-4340 of 2018 (O&M)
Date of Decision: May 08, 2018**

Israyal

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gulzar Mohd., Advocate
for the petitioner (s).

Mr. Amandeep S. Gill, Senior D.A.G. Punjab.

Mr. A.S. Gill, Advocate
for the complainant.

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.6 dated 09.01.2018 registered for the offences punishable under Section 306 of Indian Penal Code, at Police Station GRP Jalandhar.

Heard.

Learned State counsel submits that he has instructions to state that petitioner has joined the investigation, which is still in progress but his custodial interrogation is no more required for the purpose of further investigation.

Learned counsel appearing for complainant submits that deceased Sandeep Singh had left behind a suicide note, wherein he has implicated the petitioner and clearly stated that he had committed suicide

due to harassment meted out to him and his family by petitioner, as such, it is not a case of grant of anticipatory bail to the petitioner.

Petitioner vide FIR No.245 dated 18.11.2017 registered at Police Station Maqsudan, District Jalandhar, had reported the police about abduction of his son Aslam and the matter was under investigation. Sandeep Singh was named in that FIR. During the pendency of investigation, Sandeep Singh committed suicide and in suicide note named the petitioner for his false implication and harassment of his family. The petitioner has joined the investigation, which is still in progress. The case got registered by the petitioner is also under investigation.

Keeping in view the above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 05.04.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

May 08, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No