

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50644-2018

Date of Decision: 05.12.2018

Darshan Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amrindra Pratap Singh, Advocate for
Mr. Gurnam Singh, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Darshan Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.231 dated 26.07.2018, registered at Police Station City Rajpura, District Patiala, under Section 306 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel has appeared 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 have gone through the record.

As per the FIR, Gulab Singh had committed suicide and a suicide note is also there. As per the prosecution version as well as the suicide note, the present petitioner and so many other persons had taken the money from Gulab Singh and they had not returned the same, due to which, Gulab Singh committed suicide.

Learned counsel for the petitioner stated that the present

petitioner had no dealing with the deceased, rather the father of the petitioner had entered into an agreement to sell with Gulab singh (deceased), the copy of which is placed on record as Annexure P-3.

In pursuance of the interim order dated 17.11.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. 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 17.11.2018, 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.

05.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No