

CRM-M-9692-2019

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

CRM-M-9692-2019

Date of Decision: 26.08.2019

Rajesh Kumar Soni

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Suman Sagar, Advocate for
Mr. Jitender Dhanda, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. R.S.Mamli, Advocate,
for the complainant.

INDERJIT SINGH, J.

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 a case FIR No.19 dated 11.01.2019, registered at Police Station Bhuna, District Fatehabad, under Section 306 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that though the present petitioner is named in the FIR, but there are general allegations that the deceased has committed suicide as the petitioner had some video of him. Neither there is anything mentioned regarding description of the video nor any video has been collected by the Investigating Officer.

Learned State counsel submits that cancellation report has been prepared but it has not been submitted or forwarded by the senior officers.

In pursuance of the interim order dated 07.03.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 07.03.2019, 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.

26.08.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

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