

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

208-3

CRM-M-27557 of 2018

Decided on : 02.05.2019

Rakesh Chawla

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM : HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present : Mr.S.P.S.Sudhu, Advocate
for the petitioner.
Mr.Bhavna Gupta, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.85 dated 19.4.2018 under Sections 302, 120B IPC (Section 302 IPC was deleted after enquiry and offence under Section 306 has been added), registered at Police Station City Ferozepur, District Ferozepur.

Learned counsel for the petitioner contends that initially, a case under Section 302 IPC was registered but lateron, it was deleted and instead, Section 306 IPC was added. He further contends that cause of death is stated to be consumption of aluminum phosphide and it is highly improbable that this poison can be forcibly administered where there were no visible marks of resistance or injury on the person of the deceased.

A coordinate Bench of this Court, by the order dated 05.07.2018, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the

Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned counsel for the petitioner contends that the petitioner has joined investigation.

Learned State counsel, on instructions from ASI -Joginder Singh, states that the petitioner has joined investigation and he is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner especially when the petitioner has joined investigation, the order dated 05.07.2018 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

[ANUPINDER SINGH GREWAL]
JUDGE

02.05.2019

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No