

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-41429-2018 (O & M)

Date of Decision: 11.07.2019

JASVIR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. N.P.S. Mann, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.79 dated 21.04.2018, under Sections 323, 304, 34 IPC, registered at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioner contends that there is a delay of 5 days in lodging the FIR. The injuries which are attributed to the petitioner are only abrasions on the right arm of complainant Avtar Singh which could be result of fall. The complainant expired 6 days after the incident and the cause of death is heart failure.

Learned State counsel has filed the affidavit of Satish Kumar, Deputy Superintendent of Police, Sub Division, Garhshankar, District Hoshiarpur, wherein the opinion of the doctors about the cause of death has been set out. It reads as under:-

“After considering the postmortem report and Histo-pathological examination of heart in respect of above said case the cause of death in this case is declared as Congestive Heart Failure as well as coronary insufficiency due to Atherosclerosis of coronary Arteries of heart which are sufficient to cause death in the ordinary cause of nature.”

A coordinate Bench of this Court, by the order dated 29.10.2018, 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 State counsel, on instructions from ASI Mohinder Pal, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 29.10.2018 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

July 11, 2019
A.Kaundal

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