

In the High Court of Punjab and Haryana at Chandigarh

245

CRM-M-19716-2019 (O & M)

Date of Decision: 16.07.2019

KAMAL KISHORE JAIN

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Ms. Sudipti Sharma, Addl. AG, Punjab.

Ms. Sushma Chopra, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.345 dated 24.12.2018 under Section 306 read with Section 34 of the Indian Penal Code ('IPC' - for short) registered at Police Station Model Town, District Ludhiana.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he had lent money to the deceased and had been pressurizing him to repay the same. He also contends that the allegations in the FIR would not prima facie constitute an offence under Section 306 IPC. He has also relied upon the judgment of the Supreme Court in case M. Arjunan v. State Rep. By Its Inspector of Police, 2019 (3) SCC 315.

Learned counsel appearing for the complainant vehemently argued that the petitioner is not entitled to the concession of anticipatory bail in the wake of the suicide note.

This Court, by the order dated 02.05.2019, 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 Sudarshan Kumar, 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 02.05.2019 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 16, 2019

A.Kaundal

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