

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45992-2018
Date of decision-15.01.2019

Chhota Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arun Jindal, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.133 dated 22.08.2018 registered under Section 306 read with Section 34 of the Indian Penal Code at Police Station Sadar Dhuri.

On 17.10.2018, this Court had passed the following order:-

“In the instant petition, petitioner has sought for anticipatory bail under the provisions of Section 438 Cr.P.C. in FIR No.133 dated 22.08.2018 under Sections 306/34 IPC, registered at Police Station Sadar Dhuri.

Allegation against the petitioner is that Baljeet Kaur called her parents and brother and her father Chhota Singh – petitioner whereby they have visited the house of Amarjeet Singh and he was beaten on 19.08.2018. Thereafter, on 21.08.2018, Amarjeet Singh, brother of the complainant whose dead body was recovered from the Babanpur Canal Bridge. Thus, petitioner has been implicated in the FIR for the offences under Section 306 read with 34 IPC. There is no alleged specific allegations against the petitioner at whose instigation Amarjeet Singh is died. Moreover, petitioner is aged about 72 years. Having regard to these facts and circumstances, petitioner is entitled to the benefit of interim bail.

Notice of motion for 10.12.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer and join investigation and in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting/Investigating Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Cr.P.C. Petitioner shall co-operate in the investigation as and when called by the Investigating Officer for his appearance.”

Learned counsel for the petitioner contends that in pursuance of the order dated 17.10.2018, the petitioner has joined the investigation.

Learned State counsel submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 17.10.2018, is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

15.01.2019
vanita

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