

206

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

CRM-M-27353 of 2019

Date of decision: November 13, 2019

Babbu Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

Mr. Manish Kumar Singla, Advocate for the complainant.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.44 dated 27.04.2019, under Section 306, 506 of the Indian Penal Code, 1860, registered at Police Station Bassi Pathana, District Fatehgarh Sahib.

On 21.08.2019, this Court has passed the following order:-

“Submits that merely making of complaint dated 25.04.2019 by the wife of the deceased cannot be termed as an abetment to commit suicide. Further submits that even a compromise had taken place with the wife of the deceased as well as present complainant, namely, Rajinder Singh and a reference is made to P-2.

Learned State counsel wishes to place on record the copy of the complaint, which was made by Sumandeep Kaur (wife of the deceased) to the Station House Officer, Police Station Kheri Nodh Singh.

Permitted to do so.

Adjourned to 13.11.2019.

In the meanwhile, the petitioner is directed to join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 21.08.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 21.08.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

November 13, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No