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

CRM-M-29973 of 2019

Date of decision: September 11, 2019

Manoj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Manish Soni, Advocate for the petitioner.

Mr. Arun Beniwal, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

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.146 dated 18.05.2019, under Section 306 of Indian Penal Code, 1860 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Farrukh Nagar, Gurugram.

Allegations against the petitioner are that due to constant harassment, pressure and threats, deceased-Roshan Lal committed suicide.

On 17.07.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that deceased was working as Assistant Sub Inspector (ASI) in the Haryana Police and was having illicit relations with one Poonam and thus, the petitioner cannot be blamed for the commission of suicide.

Notice of motion for 11.09.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case 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) Cr.P.C.”

Learned State counsel, on instructions from Sub Inspector Rakesh Kumar, has stated that in terms of order dated 17.07.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 17.07.2019 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

September 11, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No