

In the High Court of Punjab and Haryana at Chandigarh

227

**CRM-M-36296-2019 (O & M)
Date of Decision: October 04, 2019**

NAIB KHAN

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sunny K. Singla, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Mr. A.D.S. Sukhija, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.160 dated 30.07.2019, under Section 306 of the Indian Penal Code, 1860 ('IPC' - for short), registered at Police Station Tripri Patiala, District Patiala.

Learned counsel for the petitioner contends that the allegations in the FIR, which has been lodged on basis of a suicide note, are that the petitioner had taken a tanker with 20,000 litres of diesel from the Company which met with an accident due to which the Company of the deceased suffered heavy loss and the petitioner has not compensated them for the loss. It is also alleged that petitioner had taken a sum of ₹6.00 lacs and was returning the same to the deceased. He also contends that the allegations do not prima facie constitute an offence under Section 306 IPC. He further contends that there is no other incident which would amount to harassment or abetment to suicide. He further contends that the matter has been settled through Mediation Centre of this Court.

The copy of the settlement is taken on record as Annexure 'A'.

Learned counsel for the complainant states that the matter has indeed been compromised but the complainant be accorded liberty to prefer an application in case the petitioner is resiling from the terms and conditions of the settlement.

This Court, by the order dated 02.09.2019, 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 Chanchal Singh, 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 the petitioner having joined investigation, the order dated 02.09.2019 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.

However, the parties shall be at liberty to prefer an application in the event of non-adherence to the terms and conditions of the settlement.

(ANUPINDER SINGH GREWAL)
JUDGE

October 04, 2019

A.Kaundal

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