

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

225

CRM-M-41333-2019

DATE OF DECISION: 24.10.2019

SANDEEP KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Krishan Kumar Thakur, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Deepak Chaudhary, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.157 dated 18.06.2019, under Section 304 of the Indian Penal Code, 1860 ('IPC' – for short), registered at Police Station Jamalpur, District Ludhiana.

Learned counsel for the petitioner contends that the allegations in the FIR do not prima facie constitute an offence under Section 304 IPC. He also contends that the deceased is stated to have been electrocuted while he was repairing the transformer. He also contends that as the deceased was not employed with the Electricity Board, he did not have any authority to repair the transformer. He also contends that the petitioner, who is a Junior Engineer, has been falsely implicated because the area in which the death took place is in his jurisdiction. He also contends that he was also not present at the spot and no complaint had been made to him with regard to the fault in the transformer. He further contends that a petition has been filed by the petitioner for quashing of the FIR on the basis of compromise in which notice of motion has been issued for 24.10.2019.

This Court, by the order dated 26.09.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was 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, upon instructions from ASI Jaswinder Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of the learned counsel for the petitioner and the petitioner having joined investigation, the order dated 26.09.2019 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.

(ANUPINDER SINGH GREWAL)
JUDGE

24.10.2019.
SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No