

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-18887 of 2020

Date of Decision: 17.08.2020

Inderjit Menka alias Sonu and Another

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. Dhruv Dyal, Senior Deputy Advocate
General, Punjab for the respondent.

Mr. D.K.Bhatti, Advocate
for the complainant.

Anil Kshetarpal, J.

On 16.07.2020, the following order was passed by this Court:-

“Counsel for the petitioners inter alia contends that co-accused in the case namely Jagjit Kumar @ Jeeta has been attributed the same role as has been attributed to the petitioners. He would further submit that Jagjit Kumar @ Jeeta was allowed bail in anticipation of arrest by this Court in CRM-M- 26973 of 2019 decided on 18.11.2019. He would further submit that the main accused namely Harbhajan Singh has been allowed interim bail by Hon'ble the Supreme Court in SLP No. 11124 of 2019. It is further submitted that even if allegations raised in the FIR and contents of the suicide note

are taken on its face value, ingredients of offence under Section 306 IPC are not complete.

Heard.

Notice of motion.

Ms. Samina Dhir, DAG, Punjab accepts notice of behalf of State of Punjab and Mr. D.K.Bhatti, on behalf of the complainant.

Counsel representing State of Punjab and complainant have opposed the prayer for grant of bail in anticipation of arrest. It is argued that the petitioners escaped their arrest for the past one year and two months as FIR was lodged on 16.5.2019. It is further argued that petitioners are influential persons who could even manage with the doctor(s) who conducted post mortem examination and for that reason cause of death has not been given on the basis of status of dead body, noticed in the post mortem report.

Concededly, Jagjit Singh @ Jeeta, co-accused in the case to whom a similar role has been attributed was allowed pre-arrest bail. Harbhajan Singh, the main accused has been allowed interim bail by Hon'ble the Supreme Court of India.

Adjourned to 17.8.2020.

In the meantime, the petitioners are directed to join investigation within seven days and on their appearance before the arresting/investigating officer, they shall be admitted

to bail on their furnishing bail bonds to the satisfaction of the concerned officer subject to the following conditions:-

- (i) They shall make themselves available for interrogation by a police officer as and when required;*
- (ii) They shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (iii) They shall not leave India without previous permission of the Court”.*

Learned State counsel, on the instructions from Inspector Inderjit Singh, has submitted that the petitioner has joined investigation, co-operated and is not required for further custodial interrogation.

Keeping in view the aforesaid facts, the interim bail granted to the petitioner on 16.07.2020 is made absolute.

Disposed of.

(Anil Kshetarpal)
Judge

August 17, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No