

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

201

CRM-M-26306-2020(O&M)

Date of Order:24.09.2020

Ricky

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rishav Jain, Advocate,
for the petitioner.

Mr. Samina Dhir, DAG, Punjab

Mr. Seshavam Chaudhri, Advocate
for the complainant.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 07.09.2020, the following order was passed:-

“The petitioner prays for pre-arrest bail in a criminal case arising from FIR No.167 dated 10.08.2020 registered under Section 306 of the Indian Penal Code, 1860, at Police Station City-I, Sangrur, District Sangrur.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Sangrur in para 4, which is extracted as under:- “4. As per the allegations of the prosecution, Jyoti daughter of complainant Shinder wife of late Piara Singh who was married with one Happy son of Teja alias Moji r/o Sunder Basti Sangrur about 12 years back and has a son of 10 years age and a daughter of 09 years age committed suicide by taking some poisonous substance on 10.08.2020 at about 10:00 AM in her parental house as she alongwith her children came to her parental house about two months back, when applicant/accused Ricky harassed her by way of compelling her to arrange marriage with him after running away from the house otherwise he would commit suicide by taking some intoxicant.” Learned counsel for the petitioner contends that the first informant's married daughter having two

children has committed suicide. The case of the prosecution is that the petitioner used to pressurize the deceased for marrying him. He further submits that the necessary ingredients of the offence under Section 306 IPC are not made out from the reading of the FIR.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 24.09.2020.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Learned counsel appearing for the State, on instructions from ASI Jagvir Singh, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation at this stage.

Keeping in view the aforesaid facts, the interim order dated 07.09.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

September 24, 2020
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(ANIL KSHETARPAL)
JUDGE

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