

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28287-2020(O&M)

Date of decision: 5.10.2020

Ajaib Singh and anotherPetitioners

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.S.P.S.Sidhu, Advocate for the petitioners

Ms. Samina Dhir, DAG, Punjab

Mr. Aman Pal, Advocate for complainant

ANIL KSHETARPAL, J. (ORAL)

On 17.9.2020, the following order was passed by this Court:-

“The petitioners pray for grant of pre-arrest bail in a criminal case arising from FIR No. 136 dated 08.08.2020, registered under Section 306 & 34 IPC, at Police Station Nehianwala, Bhatinda, District Bhatinda

As per the case of the prosecution, Jaspal Singh, while committing suicide, has left a suicide note which states that he gave financial assistance to the petitioners but they are not returning the amount.

Learned counsel for the petitioners contends that from the reading of the FIR and alleged suicide note, ingredients of the offence(Abetment of Suicide) as defined in Section 107 IPC are not made out. He further submits that the petitioners have been falsely implicated in the present case.

Notice of motion.

On the request of the Court, Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent and prays for time to seek instructions.

Keeping in view the aforesaid facts, it is considered appropriate to let the petitioners join investigation.

In the event of arrest of the petitioners, they shall be released on interim pre-arrest bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

List on 03.10.2020.”

Learned State counsel on instructions from ASI Harbans, has submitted that the petitioners have joined the investigation, cooperated and are not required for further custodial interrogation.

In view of the above, order dated 17.9.2020, is hereby made absolute.

The petition stands allowed.

5.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No