
Makhan Singh v. State of Punjab

Present: Mr. Rajesh Tushar, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab

Case heard via video conferencing.

The petitioner having been accused of the commission of an offence punishable under Section 306 of the IPC as per the FIR in question, on the contentions raised by learned counsel as recorded in the order dated 08.03.2021, he was ordered to be admitted to interim bail upon joining investigation, with learned State counsel today submitting that as per his instructions, he has joined investigation and his custodial interrogation is not required.

It is to be noticed that a reply on behalf of the respondent State has been filed by the DSP, Samana, essentially reiterating the contents of the FIR and stating that the petitioner has joined investigation, but at the end praying that the petition be dismissed.

However, in view of the fact that the investigating officer himself has stated that the petitioners' custodial interrogation is not required, I would see no reason to not make the order 08.03.2021 absolute.

Ordered accordingly.

The petition is allowed.

The reply filed on behalf of the respondent State is ordered to be taken on record.

However, admitting the petitioner to bail under the provisions of

Section 438 of the Cr.P.C. would not in any manner reflect the opinion of this court as regards the merits of the case and naturally, the investigating agency would submit its report as per the evidence gathered by it, with the competent court thereafter obviously to proceed as per law.

April 22, 2021
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(AMOL RATTAN SINGH)
JUDGE