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

CRM-M No.15484 of 2020(O&M)

Date of Decision:08.09.2021

Satpal Singh @ Satta

.....Petitioner

Vs

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. J.P.S. Brar, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

Mr. PKS Phoolka, Advocate
for respondent No.2.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.71 dated 30.05.2020 registered under Section 306 IPC at Police Station Raman Mandi, District Bathinda.

As per allegations in the FIR, complainant Sukhwinder Singh @ Sukha raised allegations of taking money by the

deceased from many persons for sending them abroad. The amount was paid to the agent and thereafter agent became untraceable and the persons could not go abroad. The person who had given money were demanding money from the son of the complainant.

On 18.06.2020, following order was passed by the Coordinate Bench:-

“The case has been taken up for hearing through video conferencing.

The petitioner has filed this petition under 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.71 dated 30.05.2020 registered under Section 306 of the Indian Penal Code, 1860 at Police Station Raman Mandi, Bathinda.

Learned Counsel for the petitioner has submitted that the deceased had taken money from the petitioner for grant of work visa to him which document was forged and fabricated. The petitioner alongwith his co-accused merely demanded his money back and did not abet commission of suicide by the deceased. His similarly placed coaccused Jaspal Singh Sran @ Chagad has already been granted interim anticipatory bail vide order dated 11.06.2020. The petitioner is ready to join the investigation and his custodial interrogation is not required in the case.

Notice of motion.

On the asking of the Court, Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the

respondent-State. Copy of the paper book has already been supplied to learned State Counsel by the Registry.

In view of the facts and circumstances of the case, presence of the complainant is considered to be necessary for just and proper decision of the petition and on oral request made by learned Counsel for the petitioner, complainant is ordered to be impleaded as respondent No.2. Memo of Parties be amended accordingly.

Learned State Counsel seeks time to file reply.

Adjourned to 17.08.2020.

Notice to newly added respondent No.2 be issued for that date.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.

18.06.2020

kavneet singh

(ARUN KUMAR TYAGI)

JUDGE"

Learned counsel for the petitioner submits that the petitioner and other co-accused in the very nature of allegations have not committed any offence under Section 306 IPC. Co-

accused namely Jaspal Singh in CRM-M No.14821 of 2020, Gursharan Singh in CRM-M No.16797 of 2020, Balkaran Singh in CRM-M No.19902 of 2020, Surender Singh in CRM-M No.16389 of 2020, Inderjeet Singh in CRM-M No.16837 of 2020 and Gurpreet Singh in CRM-M No.16139 of 2020 have been granted anticipatory bail.

It is not in dispute that the allegations qua the petitioner are at par with the co-accused, who have been granted anticipatory bail by the High Court in different criminal miscellaneous petitions.

Learned State counsel could not refute the aforesaid assertions made by learned counsel for the petitioner.

Learned counsel for the complainant, however, opposed the bail.

Petitioner has already joined the investigation in compliance of order dated 18.06.2020.

This fact has been admitted by learned State counsel and he submits that the petitioner is no more required for further investigation in the case. Challan has not been submitted so far.

In view of aforesaid factual position, the interim order dated 18.06.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2)

Cr.P.C.

Petition stands disposed of.

08.09.2021
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No