

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208-A

CRM-M-19744 of 2021
Date of decision:13.09.2021

Sis Ram @ Bakhshish Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. G.S.Bhatia, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

On 19.05.2021, while granting interim protection to the petitioner, this Court passed the following order:-

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of pre-arrest bail in FIR No. 107 dated 26.08.2019, under Sections 306, 120-B IPC, registered at Police Station Rahon, District SBS Nagar.

Briefly, it may be noticed that Jaswant Rai committed suicide on 26.08.2019. FIR has been registered on the complaint of

mother of the deceased. Allegations have been levelled against the wife of the deceased as also other members of the in-laws stating that the deceased had been insulted in the presence of the village Sarpanch and that his entire earnings for the last 10 years had been misappropriated. Specific allegation is that brother-in-law of the deceased, namely Mintu had slapped him and on account of which the deceased had felt humiliated. It was also the complainant's version that the deceased was feeling depressed as his wife had proceeded to her parental house and had also taken away the children.

In so far as the present petitioner is concerned, he is the father-in-law of the deceased. Contention raised is that no overt or covert act has been attributed to the petitioner so as to fall within the mischief of abetment as defined under Section 107 IPC. Further submitted that the deceased has not left behind any suicide note.

Counsel submits that the petitioner is otherwise ready and willing to join investigation and as such his custodial interrogation would not be warranted.

Notice of motion returnable for 13.09.2021.

To be listed along with CRM-M-19082-2021.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting

Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Interim protection granted to the petitioner in CRM-M-19082 of 2021 has been made absolute by an order passed on even date.

Learned State counsel, on instructions from ASI Surinderpal Singh submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 19.05.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

September 13, 2021
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No