

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-19543 of 2021
Date of decision:20.09.2021

Suraj Bhan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Mikhail Kad, Advocate,for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

On 18.05.2021, while granting interim protection to the petitioner, this Court passed the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in FIR No.36 dated 17.03.2020 under Sections 306 and 34 of the Indian Penal Code, 1860, registered at Police Station Longowal, District Sangrur (Annexure P-1).

Counsel for the petitioner has urged that the allegations against the petitioner is that the deceased owed money to the petitioner, who has been named as an accused on the basis of a suicide note, the veracity of which is yet to be determined.

Counsel for the petitioner has placed reliance upon order dated 03.06.2020 passed in CRM-M-13850-2020 “Gurvinder Singh Versus State of Punjab, the relevant extract of which is as under:-

“Learned counsel for the petitioner has submitted that deceased, namely, Tejinder Singh had consumed some poisonous substance on 10.03.2020. He was admitted in Civil Hospital, Sangrur from where as per the investigating report attached with the FIR, he “absconded” on 12.03.2020. Subsequently, after his statement was recorded by the Investigating Officer on 15.03.2020, when he was admitted in DMC, Ludhiana, the case was closed. Unfortunately, Tejinder Singh expired on 16.03.2020. The present FIR was registered on 17.03.2020 on the statement of his brother.”

Counsel has also made reference to interim orders dated 08.06.2020 and 26.06.2020 (Annexures P-2 and P-3) respectively, whereby interim protection was granted to two co-accused, namely, Najar Singh and Ajaib Singh. Counsel submits that the orders granting interim protection to all three co-accused were made absolute by this Court. It has been submitted that the father of the petitioner (sic deceased) is posted as Assistant Sub Inspector with the Punjab Police and a false FIR has been lodged at his behest.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of respondent-State.

List on 20.09.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from Sub Inspector Ram Singh submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to submit 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 18.05.2021 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 20, 2021
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>