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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through video conferencing)

CRM-M No.30228 of 2021
Date of Decision: 07.10.2021

JAGMOHAN KUMAR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R. Kartikeya, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.113 dated 12.07.2021 registered under Sections 304, 337 and 427 IPC at P.S. City-2 Mansa.

On 02.08.2021, following order was passed by the Co-ordinate Bench of this Court:-

“Case taken up through video conferencing.

It is contended by learned counsel for the petitioner that unfortunately an employee working at CNG Gas Station belonging to petitioner had died on account of accident while filling CNG in a car; as a matter of fact there

was no lapse in taking the necessary precautions inasmuch as the inspection had been carried out by the officials of Hindustan Petroleum Corporation Ltd. on 8.7.2021, about four days prior to the accident and no shortcoming with regard to safety precautions was found. He has referred to inspection report in that regard, copy Annexure P2. He has further contended that the petitioner has wrongly been booked for offence under Section 304 IPC when ingredients of such offence are not fulfilled and at the most offence under Section 304-A IPC i.e. causing death by negligence is made out and furthermore, the police has added Sections 304 and 337 IPC together; the ingredients of both the offences are quite contrary to each other. He further submits that the petitioner is ready and willing to join the investigation.

Notice of motion.

Mr.J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondent-State. He seeks time to file detailed reply to the petition.

Adjourned to 7.10.2021.

I find it a fit case to grant interim bail to the petitioner. As such, the petitioner is directed to join the investigation by contacting the Investigating Officer within seven days from today and render all sort of co-operation. The petitioner is to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If in the meanwhile, he is arrested, he be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.

2.8.2021

(H.S. MADAAN)

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JUDGE"

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the

investigation on 06.08.2021 to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Makhan Singh admits the aforesaid fact and submits that passport has already been recovered from the petitioner and his presence is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 02.08.2021 is made absolute. However, the 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.

October 07, 2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No