215 (2nd case) IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-39677-2021
Date of Decision : 12.10.2021

Hussan Lal …Petitioner

Versus

State of Punjab ….Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. S.K. Virk, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.
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B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.138 dated 17.08.2021, registered under Sections 306 and 34 IPC at Police Station Bullowal, District Hoshiarpur.

2. On 23.09.2021, the following order was passed:-

"Case is being taken up for hearing through VideoConferencing due to Covid-19 pandemic.

Payer in the petition under Section 438 Cr.P.C. is for grant ofpre-arrest bail to the petitioner in case FIR No.138 dated 17.08.2021,registered under Sections 306 and 34 IPC at Police Station Bullowal,District Hoshiarpur.

Learned counsel contends that the petitioner has beenimplicated in a false case, that as per the FIR, the allegations are of hisdaughter-Preeti having an illicit relationship with one Ritik Kumar onaccount of which his son in law committed suicide.However, there is nomention of any role attributed to the petitioner leading to the suicide of hisson-in-law except general allegations.Learned Counsel contends that the

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petitioner has no criminal antecedents besides, is ready and willing to joininvestigation as and when required and to fully cooperate in the same.

Notice of motion.

Mr. Sukhbeer Singh, AAG, Punjab accepts notice andrequests for time to file reply.

Adjourned to 30.09.2021.

List along with CRM-M No.38371 of 2021.

In the meantime, the petitioner is directed to joininvestigation and fully cooperate in the same. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject tohis furnishing bail / surety bonds to the satisfaction of the Arresting /Investigating Officer. The petitioner shall also abide by the conditionsenvisaged under Section 438(2) Cr.P.C., failing which, the interimprotection granted to the petitioner, shall stand vacated."

3. Learned counsel for the petitioner contends that pursuant to order dated 23.09.2021 as well as order dated 30.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bailand that his custodial interrogation is not required, besides, CRM-M No.42670 of 2021 titled as Preeti vs. State of Punjab filed by the petitioners daughter has been dismissed as withdrawn vide order dated 11.10.2021.

4. Learned State counsel on instructions from *ASI Surinder Pal Singh* confirms that pursuant to the orders of this Court dated 23.09.2021 and 30.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bailand that his custodial interrogation is not required, besides, CRM-M No.42670 of 2021 filed by the main accused i.e. Preeti, daughter of the petitioner was dismissed as

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withdrawn vide order dated 11.10.2021 with liberty to said petitioner to surrender before the learned trial Court and to move a petition for regular bail.

5. In view of the statement of learned State counsel, orders dated 23.09.2021, passed by this Court, are made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

12.10.2021
'Amit'

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

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