

CRM-M-37968-2020 (O&M)

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

**CRM-M-37968-2020 (O&M).
Decided on: April 1, 2021.**

Raghubir Singh and another

.. Petitioners

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sartaj Narula, Advocate, for
Mr.Amit Choudhary, Advocate,
for the petitioners.**

Mr.Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.499 dated 20.10.2020, under Sections 306/34 IPC, registered at Police Station City Fatehabad, District Fatehabad.

The case of the petitioners is that they have been falsely implicated in the present case and *ex facie* offence under Sections 306/34 IPC is not made out.

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Learned counsel for the petitioners, by referring to the suicide note which was made by the deceased, has submitted that in the entire suicide note there was not even an iota of element of incitement which is *sine qua non* for the purpose of fulfilling the ingredients of Section 107 IPC. He has further submitted that there is no active role of the petitioners which could have culminated into the act of suicide.

On 1.12.2020, notice of motion was issued in the present and interim protection was granted to the petitioners subject to their joining investigation and complying with the conditions under Section 438 (2) Cr.P.C.

On 18.1.2021, the learned State counsel had submitted that although the petitioners joined investigation but they have not supplied the relevant account books which are necessary for the investigation of the case.

The learned counsel for the petitioners had submitted on that date that petitioners will certainly supply all the relevant account books which they have in their possession.

Today, the learned State counsel, on instructions from Inspector Vinod Kumar, has submitted that the petitioners have supplied the relevant account books to the police for the purpose of investigation. He has further submitted that the petitioners have joined the investigation and they are fully cooperating with the investigation process and are no longer required for custodial investigation.

In view of the stand taken by the learned State counsel,

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the present petition is allowed and interim order dated 1.12.2020, is hereby made absolute.

April 1, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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