

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.44818 of 2019

Date of Decision: July 22, 2021

Happy Singh & others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S.Barnala, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.69 dated 10.09.2019, under Sections 306 and 34 IPC 1860, registered at Police Station, Mehal Kalan, District Barnala. The petitioners apprehended their arrest at the hands of police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 22.10.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the offence punishable under Section 306 IPC would be debatable as Makhan Singh had attacked his wife Karamjit Kaur and thereafter consumed poison. According to him, in the given facts, the custodial interrogation of the petitioners may not be required.

Notice of motion for 03.3.2020.

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

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the police and joined the investigation. According to him, the petitioners cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Gursimranjit Singh, states that indeed the petitioners have joined investigation and after completion of the same, a cancellation report has been prepared and the same is likely to be filed before the court of competent jurisdiction in near future. He, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above stand of the learned State counsel, the petition is rendered infructuous.

Ordered accordingly.

July 22, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No