

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

205

**CRM-M-2128-2022
Decided on : 18.08.2022**

Chander Pal

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Naveen Bawa, Advocate
for the petitioner(s).

Mr. Bhupender Beniwal, AAG, Punjab
assisted by ASI Gurmukh Singh.

SANJAY VASHISTH, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 0209, dated 06.10.2021, under Sections 306, 34 of IPC, 1860, registered at Police Station Tibba, District Ludhiana.

While issuing notice of motion on 20.01.2022, the following orders was passed:-

“The petitioner is seeking anticipatory bail in FIR No.0209 dated 06.10.2021, under Section 306 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Tibba, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged that the son of the petitioner was having an affair with the wife of the deceased due to which the deceased committed suicide. He, however, contends that the allegations would not constitute a prima facie case for the alleged commission of offence against the petitioner, especially when his son had been disowned by him. He has referred to the copy of the public notice at Annexure P3.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent. List on 22.02.2022.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

On 20.02.2022, learned State counsel sought adjournment for producing the report of the handwriting expert, regarding the suicide note. Thereafter, on two occasions, case was adjourned, but till date, no such report of the Handwriting Expert is available with the State counsel. However, upon instructions from ASI Gurmukh Singh, learned State counsel has submitted that the petitioner is no more required for further investigation of the case.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 20.01.2022, is made absolute. Needless to say, the petitioner shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

(SANJAY VASHISTH)
JUDGE

August 18, 2022
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No