

In virtual Court

CRM-M-9041-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9041-2021 (O&M)
Date of decision: 21.02.2022

Vikas

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Tada, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Vikas Gulia, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.794 dated 02.12.2020 under Sections 306 & 34 IPC, registered at Police Station City Sonipat, District Sonipat.

While granting interim bail to the petitioner, following order was passed by this Court on 24.09.2021: -

“...Counsel for the petitioner submits that FIR, Annexure P-1, has been registered on the complaint of Surinder on the allegation that his nephew Manoj has committed suicide as the petitioner had

levelled false allegation against him of eloping with his daughter and had got an FIR registered. Counsel submits that there is no overt or covert act has been attributed to the petitioner so as to fall within the mischief of abetment as defined under Section 107 IPC and the offence under Section 306 IPC is not made out. He submits that though the petitioner is named in the suicide note, which has allegedly been recovered but its authenticity is yet to be verified as report from a Forensic Expert has not been received. He has instructions to submit that the petitioner is ready and willing to join the investigation and there is no recovery to be effected from him.

Upon instructions from ASI Jagjit Singh, and by relying upon the status report filed by way of an affidavit of Deputy Superintendent of Police, City Sonipat, State counsel has opposed the petition. He is assisted by Mr. Vikas Gulia, Advocate for the complainant. They have submitted that a cancellation report has been filed in the FIR, which was lodged by the petitioner...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, assisted by learned counsel for the complainant and on instructions from ASI Ravinder, has not disputed the factual position and states that the petitioner is no more required for any further

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investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 24.09.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

**[ARVIND SINGH SANGWAN]
JUDGE**

21.02.2022
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No