

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210-1)

CRM-M-24821-2022

Date of decision: - 25.07.2022

Madan Lal Sharma @ Madan Lal

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Amaninder Singh Sekhon, Advocate,
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.92 dated 03.05.2022, under Section 306 IPC, registered at Police Station City Kotkapura, District Faridkot.

On 01.06.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, as per the FIR, there is no allegation so as to constitute offence under Section 306 of IPC, moreso, against the petitioner. It is further submitted that the petitioner is a 76 year old person and the deceased has committed suicide on account of having suffered business losses. It is contended that even as per the FIR, business between the petitioner and the

*deceased had already been partitioned 17 years ago and the petitioner is not keeping in good health inasmuch as he has heart ailments. Reliance has been placed upon judgment of the Coordinate Bench of this Court in **State of Punjab Vs. Kamaljit Kaur @ Bholi and another** reported as **2008(2) RCR (Criminal) 562**, as well as judgment of the Hon'ble Supreme Court in case titled as **Gangula Mohan Reddy Vs. State of Andhra Pradesh** reported as **(2010) 1 SCC 750**, in support of the arguments. It is also contended that the co-accused of the petitioner namely Geeta Rani Sharma had also applied for anticipatory bail by way of filing petition bearing No.CRM-M-24073-2022, in which, notice of motion has been issued and interim protection has been granted in favour of said Geeta Rani Sharma.*

Notice of motion for 25.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

To be heard alongwith CRM-M-24073-2022.

01.06.2022

(VIKAS BAHL)
JUDGE"

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Iqbal Singh, has submitted that the petitioner has joined the investigation on 20.06.2022 and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 01.06.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the

present petition is allowed and the interim order dated 01.06.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

July 25, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No