

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24825-2022
Date of Decision: 07.09.2022

MOHAN SINGH AND ANOTHER ... PETITIONERS

V/S

STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Brijeshwar Singh Bhalla, Advocate for the petitioners.
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. Neeraj Madaan, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

On 01.06.2022 following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No. 54 dated 23.04.2022, registered under Sections 306/34 IPC, 1860 at Police Station City Fazilka, District Fazilka.

Briefly, the FIR has been registered on the basis of the statement of Sandeep Kumar alleging that his wife, namely, Priyanka Rani-deceased had borrowed a sum of Rs. 90,000/- from the petitioners. She further advanced the amount of Rs. 90,000/- to Surinder Kamboj. The petitioners had been demanding the amount with interest to the tune of Rs. 17,500/- per day and accordingly, a sum of Rs. 2,90,000/- was sought to be returned. On that score, the deceased committed suicide by consuming some poisonous substance.

Learned counsel of the petitioners contend that there was some monetary transaction between the petitioners and the deceased. The allegations with regard to demand of

exorbitant interest are false. It will remain debatable as to whether there was any instigation or abetment on the part of the petitioners which forced the deceased to commit suicide.

Notice of motion.

Ms. Bhavna Gupta, DAG, Punjab accepts notice on behalf of the respondent-State.

Mr. Neeraj Madaan, Advocate has put in appearance on behalf of the complainant and filed Vakalatnama, which is taken on record.

Adjourned to 07.09.2022.

Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners contend that the petitioners have joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioners is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.06.2022 is made absolute.

The petition stands allowed.

07.09.2022

Janki

**(VIVEK PURI)
JUDGE**

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