

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 203

CRM-M-47198-2018

Date of decision : 07.03.2022

Mandeepak Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms.Bhavna Gupta, DAG, Punjab.

Mr.Rajiv Malhotra, Advocate, and

Mr.Tarun Kumar, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.96 dated 10.10.2018 registered under Sections 306 and 506 IPC at Police Station Raja Sansi, District Amritsar.

On 25.10.2018 this Court had passed the following order: -

“Prayer in this petition filed under Section 438 of the Code of Criminal Procedure is for grant of anticipatory bail to the petitioner in FIR No.96 dated 10.10.2018, under Sections 306/506 IPC, registered at Police Station Raja Sansi, District Amritsar.

According to the prosecution, in the morning of 10.10.2018, husband of complainant, who was commission agent by profession, committed suicide by firing upon him with Carbine of Constable Sumit Kumar, a PSO with her brother Gurjeet Singh Ojla, Member of Parliament, while said Sumit Kumar, PSO had gone to wash-room, for the reason that petitioner and 16 others were not paying their dues to her deceased husband.

Learned counsel for the petitioner contends that as per suicide note left by the deceased, 17 persons had owed money from him, but were not paying despite, repeated requests, forcing him to commit suicide.

The above allegation against the petitioner itself is not sufficient to prove abetment to commit suicide.

Notice of motion for 09.1.2019.

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

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation which has since been completed.

In view of the reasons stated in the afore quoted order and because investigation in this case is complete with which the petitioner had cooperated, the order of this Court dated 25.10.2018, granting ad interim anticipatory bail to the petitioner is directed to be made absolute.

Since the FIR in question is of the year 2018 in which, till date, the Trial Court has not even considered the framing of charges, a direction is issued to the Trial Court to dispose of the petitioner's trial within 18 months from the date next fixed before it, in accordance with law.

07.03.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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