

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-26120-2022

Date of decision : 20.07.2022

Baldev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Raminder Singh Joon, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Ms.Kusum Raj, Advocate for
Mr.A.S.Jattana, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.57 dated 17.05.2022 registered under Sections 306 IPC at Police Station Kamboj, District Amritsar Rural.

On 09.06.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“Apprehending his arrest in FIR No.57 dated 17.05.2022, registered under Section 306 IPC 1860 at Police Station Kamboj, District Amritsar Rural, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner inter alia contends that the petitioner is being accused of having committed offence punishable under Section 306 IPC. The suicide took place on 17.05.2022 whereas the occurrence alleged against the petitioner which is said to be cause of abatement is dated 26.11.2021. Thus offence under Section 306 IPC is not made out.

Notice of motion returnable for 20.07.2022. On the asking of the Court, Mr. Sukhbeer Singh, Asstt. A.G., Punjab, appears and accepts notice on behalf of the respondent-State. Mr. H.S.Batth,

Advocate with Mr. Gaurav Kalsi, Advocate has entered appearance on behalf of the complainant. They submit that there was a prolonged dispute inter-se between the parties which was continuous and thus the harassment was continuing.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

(PANKAJ JAIN)
JUDGE

09.06.2022”

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

Learned State counsel has submitted that the petitioner has joined investigation on 12.06.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 09.06.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 09.06.2022 is made absolute.

Nothing stated above shall be construed as an 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 petition.

(VIKAS BAHL)
JUDGE

July 20, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No