

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210-2)

CRM-M-26433-2022

Date of decision: - 25.07.2022

Munish Kumar Sharma alias Munish Sharma

....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 14.06.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of the anticipatory bail to the petitioner in a case registered against him vide FIR No.92 dated 03.05.2022 under Sections 306 IPC with Police Station City Kotkapura, District Faridkot.

The learned counsel for the petitioner inter alia contends that the co-accused of the petitioner, namely, Geeta Rani Sharma and

Madan Lal Sharma alias Madan Lal have been granted the concession of interim anticipatory bail vide orders dated 30.05.2022 and 01.06.2022 passed by the co-ordinate Bench of this Court. He further contends that a perusal of the suicide note would also show that the deceased has committed suicide on account of having suffered business losses.

Notice of motion for 25.07.2022.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 23.06.2022 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.*

Meanwhile, the State is directed to file an affidavit as to the exact role of the petitioner and his co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.

To be heard alongwith CRM-M-24073-2022 and CRM-M-24821-2022.

14.06.2022

(JASJIT SINGH BEDI)
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 14.06.2022 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 14.06.2022 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