

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-2 CRM-M-29416 of 2021
Date of decision:17.01.2022

Nirmal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Mandeep Singh, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 438 Cr.P.C seeking grant of anticipatory bail to the petitioner in case FIR No.81 dated 15.06.2021 registered for offences under Sections 306, 34 of Indian Penal Code, 1860 at Police Station Kot Ise Khan, District Moga (Annexure P-1).

While granting interim protection to the petitioner, this Court passed the following order on 28.07.2021:-

“Learned counsel for the petitioners prays for grant of anticipatory bail to the petitioner while inter-alia arguing that the petitioner has been falsely implicated in the present case and he is ready and willing to join the investigation.

Notice of motion.

Mr. A.S.Gill, Sr. DAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 13.12.2021.

Meanwhile, petitioner is directed to join the investigation within a period of one week and in the event of arrest, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.

To be heard along with CRM-M-29083-2021, on the date fixed.”

Upon instructions from SI Gura Singh, State counsel submits that the petitioner, who is the paternal uncle in law of the deceased, has joined the investigation and he is no longer required for custodial interrogation. He submits that challan has been presented and the charge has been framed against the accused petitioner.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 28.07.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

January 17, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>