

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(202)

CRM-M-27742-2022

Date of decision: - 04.08.2022

Balwinder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. M.J.S. Bedi, Advocate, for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

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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.75 dated 06.06.2022, under Section 306 IPC, registered at Police Station City Rampura, District Bathinda.

On 29.06.2022, this Court was pleased to pass the following order:-

*“Inter alia contends that in the present case, the alleged suicide has been committed by the deceased Major Singh on 09.05.2020 and the present FIR had been registered on 06.06.2022 i.e. after a delay of more than 2 years. It is further submitted that initially proceedings under section 174 Cr.P.C. were conducted by the police after a statement had been given by Inderjit Singh, son of the deceased and at that time, the present complainant, who is also the son of the deceased, was also present and one DDR No. 25 dated 09.05.2020 was incorporated. It is argued that even if the alleged suicide note is taken at face value then also the offence under Section 306 IPC is, prima facie, not made out. It is further argued that the petitioner is an old man of 64 years of age.*

*Notice of motion for 04.08.2022.*

*In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.*

**(VIKAS BAHL)**  
**JUDGE**

**29.06.2022"**

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 Gurdev Singh, has submitted that the petitioner has joined the investigation on 10.07.2022 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 29.06.2022 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 29.06.2022 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.

**August 04, 2022**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No