

203-B

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-37292-2021

Date of decision : 14.03.2022

Lakhwinder Singh @ Lakha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Akhilesh Vyas, Advocate for the complainant.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.92 dated 29.07.2021 registered under Sections 306 and 34 of the Indian Penal Code, 1860 at Police Station Bhargo Camp, District Jalandhar.

On 09.09.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.92 dated 29.07.2021, registered for offences under Sections 306 and 34 of the

Indian Penal Code, 1860, at Police Station Bhargo Camp, District Jalandhar (Annexure P-1).

Counsel for the petitioner submits that petitioner is the father-inlaw of the deceased – Manmohan Kumar, who allegedly committed suicide and FIR (Annexure P-1) was lodged by the brother of the deceased naming the petitioner is one of the accused. Counsel has placed reliance upon the orders dated 16.08.2021 and 03.09.2021 passed by this Court in CRM-M33024-2021 and CRM-M-36220-2021 respectively, whereby Simran (wife of the deceased) and Monika Rani (mother-in-law of the deceased) have been granted interim protection by this Court. Counsel submits that the petitioner is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Randhir Singh Thind, DAG, Punjab accepts notice on behalf of respondent-State.

List on 01.11.2021.

To be heard with CRM-M-33024-2021.

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

Sd/- (SUVIR SEHGAL)

JUDGE

09.09.2021 ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 09.09.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Sandeep Kaur, has submitted that the petitioner has joined the investigation on 16.09.2021 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 09.09.2021 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 09.09.2021 is ordered to be made absolute.

However, 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 application.

14.03.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**