

203-C

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

CRM-M-40407-2021

Date of decision : 14.03.2022

Sukhwinder Singh @ Sukha

...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 28.09.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Heard through video conferencing.

Counsel for the petitioner submits that petitioner is the brother-in-law of the deceased and his sister, Simran got married to the deceased, Manmohan Kumar in the year 2013. He submits that the relations between the couple were strained and the deceased was a drunkard and heavily

under debt. He urges that allegation that the petitioner stayed at the house of the deceased or physically assaulted him is absolutely false. He has placed reliance on the orders, Annexures P-5 to P-7, whereby, the interim protection has been granted to his sister, Simran and his parents. He submits that the petitioner is willing to join the investigation and cooperate with the investigating agency.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab accepts notice on behalf of the respondent-State.

To be heard alongwith CRM-M-33024 of 2021 on 01.11.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and 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)

September 28, 2021

JUDGE ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 28.09.2021, 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 04.10.2021 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 28.09.2021 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 28.09.2021 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