

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-50671-2022
Decided on : 15.12.2022

Gurpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Manuj Nagrath, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in case FIR No. 154 dated
17.07.2022 under Sections 306 and 34 IPC registered at Police Station
Salem Tabri, District Ludhiana.

On 10.11.2022, this Court was pleased to pass the following
order:

“Learned counsel for the petitioner inter alia contends that the present petitioner has not been named in the FIR and Rinku has been specifically named in the FIR as being one of the persons who had given money to the deceased on credit and was seeking his repayment and with the said persons, the complainant has entered into the compromise (Annexure P-4). It is further submitted that the petitioner is neither the partner/sole proprietor of Mattu Finance or Preet Finance and there is no document even remotely establishing the same. It is contended that at any rate, mere seeking of recovery of money which has been let out on credit would not constitute abetment and thus, offence under Section 306 of IPC, even on the reading of the FIR, is not made out.

Notice of motion for 15.12.2022.

In the meantime, in the event of arrest, the petitioner shall 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. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 10.11.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from HC Harmesh Lal, has submitted that the petitioner has joined the investigation 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 10.11.2022 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 10.11.2022 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.

15.12.2022
Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No