

**206/2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of Decision: 30.05.2023

VS.

.. RESPONDENT

Present : Mr.Dheeraj Narula, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

On 27.01.2023, the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No.294 dated 12.12.2022 under Section 306 IPC, registered at Police Station City Malout, District Sri Muktsar Sahib.

Briefly as per the allegations, one of the co-accused had lodged an FIR No. 52 dated 26.11.2022 under Sections 376(2)(n), 313, 328, 354-C, 450, 506 IPC, registered at Police Station Women Cell, Sirsa against the husband of the complainant. The complainant in that FIR along with Jagdeep Singh @ Kuldeep and the petitioner had been raising demand of Rs. 10 Lakhs from the deceased and subsequently, reduced the demand to Rs. 6 Lakhs. On that score, the deceased used to remain tense and had committed suicide.

Learned counsel for the petitioner contends that the co-accused had lodged the FIR with regard to commission of rape against the deceased and was pursuing her remedy in accordance with law. The petitioner is not, in any manner, related to or connected with the complainant in that FIR. There is nothing to indicate that any demand was raised at any point of time by the petitioner from the deceased. Similarly placed co-accused Jagdeep Singh @ Kuldeep Singh @ Deepa has been granted interim bail in terms of the order dated 23.01.2023 passed in CRM-M-3658-2023.

Notice of motion.

Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State and contends that the deceased had left the video recordings in the mobile phone indicating that the petitioner along with the co-accused had abetted the commission of suicide. Furthermore, it has not been disputed that the co-accused has been granted interim bail.

Adjourned to 18.05.2023.

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

To be heard with CRM-M-3658-2023.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.
3. Learned State counsel has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.
4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 27.01.2023, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

30.05.2023
manoj

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No