

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6381-2023
Date of Decision: 15.02.2023

GURNAM SINGH ... PETITIONER
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rajeshwar Singh Thakur, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

On 07.02.2023, following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.179 dated 26.12.2021 registered under Sections 306/34 IPC at Police Station Sarahali, District Tarn Taran.

Learned counsel for the petitioner contends that the deceased, namely, Malkeet Singh was a drug addict and was getting treatment from the Drug Deaddiction Centre. The death is the result of over dose of narcotic substance. The allegations in the FIR are to the effect that the petitioner along with the co-accused had been subjecting the deceased to harassment and torture and on that score he committed suicide. The complainant has also submitted an affidavit dated 31.05.2022 (Annexure P-1) which indicates that the death has occurred on account of consumption of excess or wrong intoxication and the petitioner along with the co-accused, Satnam Singh are not at fault. The similarly placed co-accused, Satnam Singh has been granted interim bail by this Court in terms of order dated 12.10.2022 passed in CRM-M-46763-2022.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 15.02.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-46763-2022.”

Learned counsel for the petitioner contends that in pursuance of

the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.02.2023 is made absolute.

15.02.2023

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No