

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRM-M-6925-2023

Date of Decision: 28.08.2023

Lakhveer Kumar @ Gora

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. S.S. Thakur, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

Mr. Akshay Chadha, Advocate for the complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in case FIR No. 0152 dated 30.11.2022 registered under Section 306 read with Section 34 IPC at Police Station Ladhuwal, Ludhiana.

On 09.02.2023, this Court had passed the following order :-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No. 0152 dated 30.11.2022 under Sections 306, 34 IPC at Police Station Ladhuwal, Ludhiana.

Learned counsel for the petitioner submits that the petitioner is the brother-in-law of the deceased and the allegations are that he had harassed the deceased/daughter of the complainant to the extreme steps of committing suicide.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State and at this stage, Mr. Akshay Chadha, Advocate has put in appearance on behalf of the complainant and filed his vakalatnama, which is taken on record.

Learned State counsel with the assistance of SI Virender Pal and learned counsel for the complainant has vehemently opposed the present petition by submitting that the petitioner was duly named as he had harassed the deceased before she took the extreme steps and moreo, the death has occurred within two years of the marriage, and therefore, in fact Section 304-B of IPC is also attracted. However, a perusal of the FIR shows that the FIR is only under Sections 306 and 34 of IPC. Moreso, it is admitted case of the complainant that the deceased was living with him for three months before the date of incident and the immediate instigation was that she got to know from someone that her husband has gone abroad without telling her.

In the light of the above, the petitioner shall join investigation on 16.02.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 01.05.2023.”

Learned counsel for the petitioner submits that in compliance of the order dated 09.02.2023 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from Inspector Varinder Paul states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation, and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 09.02.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is

required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

28.08.2023
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(NIDHI GUPTA)
JUDGE

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