

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(216)

CRM-M-15399 of 2023
DATE OF DECISION:-25.05.2023

Amritpal Singh @ Sajan

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Vivek Salathia Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J.

1. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner prays for grant of pre-arrest bail in case FIR No.0016 dated 10.02.2023 under Sections 306, 34 of IPC, registered at Police Station Division-C, District Police Commissionerate, Amritsar (Annexure P-1).
2. This Court, while issuing notice of motion on 27.03.2023, passed the following order:

Learned counsel for the petitioner inter alia submits that even if the allegations in the FIR are taken to be at its face value, no offence under Section 306 IPC is made out against the petitioner who merely lent some money to the deceased and was asking for return of the same.

Notice of motion for 25.05.2023.

In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2)

of Code of Criminal Procedure, 1973.

3. Learned counsel for the petitioner states that in pursuance of order dated 27.03.2023 passed by this Court, the petitioner has already joined investigation.

4. The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Sulakhan Singh, by submitting that the petitioner has joined investigation and his custodial interrogation is no longer required in this case.

5. In view of the above, the petition is allowed. Interim order dated 27.03.2023 is hereby made absolute, subject to all the conditions as envisaged under Section 438(2) Cr.P.C.

25.05.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No