

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16623 of 2023
Date of decision: 28th November, 2023

Rohit

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Harmeet K. Chanan, Advocate for the petitioner.
Ms. Kanica Sachdeva, Asst. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.25 dated 11.03.2023 under Sections 306/34 of the IPC registered at Police Station Division No.5 District Jalandhar.

2. On 12.07.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner inter alia contends that a criminal case had been registered against the deceased under Section 377 of the IPC and allegedly on account of the deceased having felt humiliated he ended his life by consuming poison. It thus leaves no manner of doubt that the ingredient to attract the mischief of Section 306/107 of the IPC is not made out. She further submits that the

petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 12.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 12.07.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 28, 2023
rps

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