

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25266-2023
Date of decision: 15.11.2023

HARISH KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Aditya Pratap Singh, Advocate for the petitioner.

Ms. Ruchika Sabharwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No.66 dated 16.04.2023 under Section 306 IPC, registered at Police Station Mukerian, District Hoshiarpur.

2. On 18.08.2023 the following order was passed:-

1. Petitioner is seeking anticipatory bail in case bearing FIR No.66 dated 16.04.2023 under Section 306 IPC, registered at Police Station Mukerian, District Hoshiarpur.

2. Learned counsel for the petitioner contends that the petitioner is a married person residing in Bangalore and never visited the State of Punjab after September 2022. The deceased was a married lady but her marriage ended in a divorce. Furthermore, the petitioner and the deceased were on friendly terms and only for that reason there was exchange of some calls. Two calls were made about one month prior to the occurrence and one call was made during the morning hours on the day of occurrence. As per the allegations in the FIR, at about 6.30 P.M. a call was also received by the deceased from the petitioner wherein the allegations with regard to harassment and blackmailing were levelled. The cause of death is stated to be aluminium phosphide poisoning. It has been further submitted that the deceased had committed suicide as she was having disturbed relationship with someone after the dissolution of her marriage.

3. On a query, learned State counsel submits that there is no call detail record indicating any telephonic call had been made by the petitioner to the deceased in the evening hours on 15.04.2023.

4. *Adjourned to 15.11.2023.*

5. *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”.*

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.

4. On instructions from ASI Krishna Devi, learned State counsel submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the aforesaid submissions, the order dated 18.08.2023 granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

15.11.2023

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(VIVEK PURI)
JUDGE

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