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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-25811-2023 (O&M)

Date of decision : 02.11.2023

Ram Mehar

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rakesh Nehra, Senior Advocate,
with Mr. Ankit Yadav, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana,
assisted by Inspector Raj Kumar.

Mr. JPS Sidhu, Advocate,
for the complainant.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.52 dated 22.08.2022, under Sections 306 and 34 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station GRP Jind, District Jind.

2. Allegations against the petitioner are that he along with other co-accused abetted and instigated the deceased, namely, Chattar Singh, to commit suicide.

3. This Court, on 22.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Learned State counsel seeks time to file response by way of an affidavit.

Posted on 11.09.2023.

In the meanwhile, order dated 22.05.2023 is modified to the extent that petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.
5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.
6. Mr. Suresh Kumar S/o Raghuvir, who scribed the settlement dated 15.07.2019, between the parties, is present in terms of the previous order and he acknowledged the same.
7. Although, learned counsel for the complainant vehemently opposed the prayer of petitioner, but in view of fact that State is not seeking custodial interrogation; therefore, objection raised by learned counsel for the complainant is rejected.

8. In view of above, interim order dated 22.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
10. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
11. Disposed off accordingly.

02.11.2023
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/ reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether reportable</i>	:	<i>Yes</i>	/	<i>No</i>