

2023:PHHC:122697

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

CRM-M-30512-2023

Date of Decision: 19.09.2023

GURJEET SINGH

... PETITIONER

VS.

STATE OF U.T. CHANDIGARH

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Dr. Sumati Jund, Advocate
for the petitioner.

Mr. Anil Kumar Lamdharia, Addl. P.P.
for U.T. Chandigarh.

VIVEK PURI, J.(ORAL)

1. On 14.06.2023, the following order was passed by the
Coordinate Bench of this Court:-

“Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.38, dated 01.06.2023, under Section 306 of Indian Penal Code, 1860, registered at Police Station Sarangpur, Chandigarh.

FIR was lodged on the complaint of Avtar, brother of deceased Sarabjeet Kaur. Deceased was serving as a cashier in PGI, Chandigarh, who allegedly committed suicide on 22.05.2022. It is alleged that prior to her death, complainant heard the conversation of her deceased sister and that of another sister, Manpreet Kaur, wherein the deceased was telling to Manpreet Kaur that Gurjeet Singh-petitioner, his father, sister and brother may kill her any time.

It is contended by learned counsel that though the suicide by Sarabjeet Kaur was committed way back on 22.05.2022 but the FIR was lodged on 01.06.2023, i.e., after a delay of more than one year with no explanation.

Notice of motion.

At the asking of the Court, Mr. Anil Kumar Lamdharia, Addl. P.P., UT, Chandigarh, appears and accepts notice on behalf of the respondent-State.

List on 19.09.2023.

Having regard to the facts and circumstances as noticed above that no explanation for long delay of more than one year in lodging of the FIR, the petitioner is directed to join investigation and co-operate in the same.

He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

3. Learned counsel for the respondent-U.T. Chandigarh, on instructions from ASI Anand Kumar, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 14.06.2023, vide which the petitioner has been granted interim bail, is made absolute.

5. Petition is allowed.

19.09.2023
smriti

(VIVEK PURI)
JUDGE

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