

202

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32084-2022

Date of decision: 15.11.2023

MANISH KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. S.S. Sarwara, Advocate, for
Mr. Amit Puri, Advocate for the petitioner.

Ms. Ruchika Sabharwal, DAG, Punjab.

Mr. Vikram Preet Arora, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No. 95 dated 27.06.2022, under Sections 306, 457 IPC, registered at Police Station Sambhu, Patiala.

2. On 07.12.2022 the following order was passed:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 95 dated 27.06.2022 under Sections 306, 457 IPC, registered at Police Station Shambhu, Patiala.

Status report by way of affidavit of Raghbir Singh, Deputy Superintendent of Police, Circle Ghanaur, District Patiala on behalf of the State has been placed on record.

Briefly, the FIR has been registered on the basis of the statement of the mother-in-law of the deceased alleging that the petitioner had been pressurising the deceased to develop illicit relations with her. Being fed up, she consumed poisonous substance and death had occurred on 05.06.2022.

Learned counsel for the petitioner submits that the FIR has been lodged on the basis of the false allegations and that too after a delay of 22 days. Even the petitioner is not in any manner related to the deceased or his family. The deceased had not left any

suicide note. Furthermore, the cremation was conducted without any post-mortem examination. The petitioner had no role with regard to cremation of the deceased without conducting post-mortem examination in the event the death was under suspicious circumstances.

Adjourned to 25.04.2023

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 SI Bahadur Ram, 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 07.12.2022 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