

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

**CRM-M-32871-2023 (O&M)
Date of decision : 03.10.2023**

Jagjit Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sant Pal Singh Sidhu, Advocate for the applicant/petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab for the respondent.

Mr. Tarun Sharma, Advocate for the applicant/complainant.

MAHABIR SINGH SINDHU, J.

CRM-41769-2023

Application for placing on record statement dated 19.07.2022,
DDR dated 19.07.2022 and photographs as Annexures R-1 to R-4 with
further prayer seeking exemption from filing certified copies thereof.

Allowed as prayed for subject to all just exceptions.

Registry will do the needful.

MAIN CASE

Present petition under Section 438 of the Code of Criminal
Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR

No.56 dated 04.06.2023, under Section 306 of the Indian Penal Code, 1860, registered at Police Station Ghall Khurd, District Ferozepur.

(2) Above FIR was registered on the basis of statement made by complainant-Pooja Rani with the allegations that petitioner abetted her husband-Darshan Lal (since deceased) to commit suicide.

(3) This Court, vide order dated 18.07.2023, granted interim bail to the petitioner and which reads as under:-

“Contends, inter-alia, that alleged occurrence had taken place on 16.07.2022; whereas, the present FIR was registered after considerable delay on 04.06.2023.

Notice of motion for 11.09.2023.

In the meanwhile, 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 Code of Criminal Procedure, 1973.

At this stage, Mr. Tarun Sharma, Advocate, appears on behalf of the complainant.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from HC Baldev Singh, also acknowledged that petitioner has joined investigation and as on today, his custodial interrogation is not required.

- (6) Although learned Counsel for the complainant has opposed the prayer; but keeping in view the fact that State does not require any custodial interrogation of petitioner, therefore, the objection in this regard is rejected.
- (7) As a result thereof, petition is allowed; interim order dated 18.07.2023 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (8) It is made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (9) The above observations may not be construed as an expression of opinion on merits of the case in any manner; rather confined only to decide the present bail matter.
- (10) Disposed off accordingly.

October 3rd, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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