

**208/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-46763-2022
Date of Decision: 15.02.2023**

**SATNAM SINGH ... PETITIONER
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vikas Gupta, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. D.S.Gandhi, Advocate for the complainant.
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VIVEK PURI, J. (ORAL)

Present petition under Section 438 Cr.P.C. is for seeking anticipatory bail in case bearing FIR No.179 dated 26.12.2021 registered under Sections 306/34 IPC at Police Station Sirhali, District Tarn Taran.

On 12.10.2022, the Co-ordinate Bench of this Court had passed the following order:

“Learned counsel for the petitioner has submitted that it is a case where the deceased namely Malkeet Singh was a drug addict and was also getting treatment from the Drug Addiction Centre and it was due to overdose that he had died, whereas the allegations contained in the FIR were that due to harassment and torture by the petitioner, he committed suicide. He submitted that in fact thereafter even the complainant has given an affidavit vide Annexure P-2 that it was due to taking medicines regarding intoxication that he was getting treatment from Civil Hospital, Sarhali. He submitted that even otherwise also the ingredients of Sections 107 and 306 IPC were not fulfilled.

Notice of motion.

Mr. Kunal Vinayak, learned Assistant Advocate General Punjab accepts notice on behalf of the State of Punjab and prays for some time to seek instructions.

Mr. Dilpreet S. Gandhi, Advocate has appeared on behalf of the complainant and has filed his power of attorney which is taken on record. He submitted that it is correct that affidavit Annexure P-2 has been executed by the complainant.

Adjourned to 15.02.2023.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

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

Learned State counsel, on instructions from ASI Paramjit Singh, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 12.10.2022 is made absolute.

15.02.2023
Janki

(VIVEK PURI)
JUDGE

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