

CRM-M-51062-2023 (O&M)

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214-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-51062-2023 (O&M)

Date of decision : 29.11.2023

Kehar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Vashvjeet Singh Rishi, Advocate, and
Ms. Divya Sharma, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
for the respondent.

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.89 dated 30.08.2023, under Sections 306 and 506 of the Indian Penal Code, 1860, registered at Police Station Sudhar, District Ludhiana Rural.

2. Above FIR was registered on the basis of statement made by one Jaswinder Kaur with the allegations that petitioner along with his family members had pressurized her son (Jatinder Singh) to commit suicide.

3. This Court, on 09.10.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter alia that co-accused, Sharanjit Kaur, with similar allegations has already been granted the concession of interim prearrest bail by this Court in CRM-M-49939-2023.

Notice of motion.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

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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 the Code of Criminal Procedure, 1973.

To be heard along with the aforesaid CRM-M, on the date already fixed, i.e. 29.11.2023.”

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 ASI Rajdeep Singh, and further stated that custodial interrogation of the petitioner is not required at this stage.
6. In view of the above, interim order dated 09.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. 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.
9. Disposed off accordingly.
10. Pending application(s), if any, shall also stand disposed off.

29.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

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