

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-4115-2024  
Date of decision: 11.03.2024

AKHTIAR SINGH HANNS ....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER ....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Puneet Bhushan, Advocate for  
Mr. Yogesh Goel, Advocate for the petitioner.

Mr. Ankit Grewal, AAG, Punjab.

Mr. Nitin Arora, Advocate  
for respondent No.2.

\*\*\*\*\*

SANJIV BERRY, J.(ORAL)

1. By way of present petition filed under Section 438 of Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

| FIR No. | Dated      | Sections           | Police Station                |
|---------|------------|--------------------|-------------------------------|
| 0181    | 04.12.2023 | 306 and 34 of IPC. | Model Town, District Ludhiana |

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.02.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 26.02.2024.

3. Learned State counsel, on instructions from ASI Baldev Singh intimates that the petitioner had joined the investigation in the case and is

CRM-M-4115-2024

2

no more required for any custodial investigation in this case nor he is required for further investigation.

4. During the course of hearing on 26.02.2024, following order was passed:

*“1. The brief facts of the case are that as per the complainant, her husband was under some stress and on being asked he did not divulge anything. On 03.12.2023, the husband of the complainant received some phone call and on the next date i.e. 04.12.2023, when he did not come out of the bathroom, she saw her husband vomiting and on asking he disclosed that he was harassed by the petitioner-Akhtiar Singh Hanns and Rajdeep Kaur and as such he has consumed poison. He was immediately taken to hospital but he could not survive. Later, a suicide note was recovered stating that he had purchased a farmhouse in Chhabra Colony, Pakhowal Road, Ludhiana from petitioner-Akhtiar Singh Hanns and Rajdeep Kaur, who had not executing sale deed in his favour despite having received Rs.2 crores. Hence the FIR was registered.*

*2. During the course of proceedings, the petitioner applied for grant of anticipatory bail before the learned Additional Sessions Judge, Ludhiana and vide order dated 18.12.2023, the petitioner was granted interim bail and he was directed to join investigation. The petitioner, thereafter, joined the investigation, however, vide order dated 18.01.2024, the learned Additional Sessions Judge, Ludhiana dismissed his bail application on the statement made by the Investigating Officer of the case that the petitioner is not co-operating in the investigation.*

*3. Learned counsel for the petitioner, inter alia, contends that the petitioner is aged 75 years and has been falsely implicated in this case. The alleged suicide note is shrouded with suspicious circumstances and the petitioner has no concern whatsoever with the death of the deceased. He submits that petitioner is again ready to join investigation.*

*4. Learned State counsel on instructions from ASI Gurcharan Singh, P.S. Model Town present in Court submits that the petitioner had earlier joined the investigation in pursuance to the order dated 18.12.2023.*

*5. In the circumstances, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. 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.*

*6. List on 11.03.2024.*

*7. The Investigating Officer of the case is directed to remain present on the next date of hearing. ”*

5. Keeping in view the respective submissions made by learned State counsel and considering the fact that the petitioner had already joined the investigation and is no more required for further investigation nor he is required for any custodial interrogation, interim bail granted vide order dated 26.02.2024 is hereby confirmed subject to conditions as envisaged

CRM-M-4115-2024

4

under Section 438(2) Cr.P.C. Further, the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6.           The petition stands allowed.
7.           It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)  
JUDGE

11.03.2024

|        |                            |        |
|--------|----------------------------|--------|
| kanika |                            |        |
| i)     | Whether speaking/reasoned? | Yes/No |
| ii)    | Whether reportable?        | Yes/No |