

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-11910-2024 (O&M)
Date of Decision:- 08.07.2024

GURSEWAK SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Arora, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
12	12.02.2024	306 IPC	Valtoha, District Tarn Taran

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 30.04.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from ASI Sunil Dutt has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further



investigation.

4. Heard.

5. During the course of hearing on 30.04.2024 the following order was passed:-

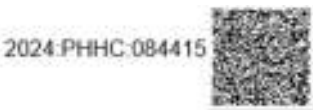
“ 2. It is inter alia contended by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner had no concern whatsoever with the deceased nor he had ever met him, even the petitioner had no telephonic conversation with the deceased so no question of the petitioner instigating the commission of suicide by the deceased arose at all. He submits that even as per the contents of the FIR no case is made out against the petitioner for having instigated the alleged crime. The petitioner is not having any criminal antecedents and is ready to join the investigation. In support of his contentions learned counsel for the petitioner has referred to the judgment of Hon'ble Apex Court cited as Gangula Mohan Reddy vs. State of Andhra Pradesh, 2010 (1) R.C.R. (Criminal) 603; and of this Court as Kirandeep Kaur vs. State of Punjab and Another, 2022(2) Law Herald 1316.

3. Per contra, learned State counsel has not disputed the factual matrix of the case and admitted the fact that no suicide note was recovered but contended that the allegations qua the petitioner having relations with the wife of the deceased had instigated him committing suicide.

4. Considering the submissions (supra), without commenting on the merits of case, it is deemed appropriate that the petitioner should join the investigation first before deciding the petitions on merit. Resultantly, the petitioner is hereby directed to join investigation within seven days from today and in the event of their arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

5. Adjourned to 15.05.2024.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 30.04.2024 passed by this Court, interim bail granted vide order dated 30.04.2024 is hereby confirmed, subject to



conditions as envisaged 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

08.07.2024
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No