

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
CRM-M-13659-2024(O&M)  
Date of decision: 16.04.2024

Rajan Masih alias Gajjan  
...Petitioner  
Versus  
State of Punjab  
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Suneet Singh Deol, Advocate for the petitioner.  
Ms. Avneet, AAG, Punjab.

\*\*\*\*\*

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C.) has been filed for grant of pre-arrest bail to the petitioner in FIR No. 76 dated 20.09.2023, under Sections 306 read with Section 34 of Indian Penal Code, 1860, registered at Police Station, Ramdas, District Amritsar Rural.

(2) Allegations are that petitioner alongwith co-accused harassed victim, due to which he committed suicide.

(3) Short reply dated 16.04.2024 by way of affdaivit of Raj Kumar, PPS, Deputy Superintendent of Police, Sub Division Ajnala, Amritsar (Rural) has been filed on behalf of respondent-State, which is taken on record. Copy supplied to the other side. Registry to tag the same at appropriate place

(4) Contends that this Court granted interim bail to the petitioner on 18.03.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

(5) Above factual position is duly acknowledged by learned State counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

(6) Heard learned counsel for the parties and perused the paper-book.

(7) It transpires that petitioner was granted interim bail by this Court on 18.03.2024 and order reads as under:-

*“ Contends, inter alia, that co-accused Raji has already been granted concession of interim bail pending trial by this Court vide order dated 24.01.2024 passed in CRM-M-2792-2024.*

*Notice of motion.*

*On the asking of the Court, Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or file written response in the matter.*

*Posted for 16.04.2024.*

*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 this 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 CRM-M-2792-2024.”*

(8) It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined investigation and his custodial interrogation is not required at this stage.

(9) In view of above, interim order dated 18.03.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(11) 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.

(12) It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.

(13) Disposed off accordingly.

(14) Pending application(s), if any, shall also stand disposed off.

16.04.2024  
Harish Kumar

( MAHABIR SINGH SINDHU )  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |