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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18597-2024

Date of decision: 15.07.2024

Vinit Malhan @ Sanju

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Navjot Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.16 dated 24.03.2024 (Annexure P-1) under Section 306 of IPC registered at Police Station Bakshiwala, District Patiala, Punjab.

On 18.04.2024, the following order was passed:-

'The petitioner is seeking concession of pre arrest bail in case arising out of FIR No. 16 dated 24.03.2024 under Section 306 of IPC registered at Police Station Bakshiwala, District Patiala, Punjab on the basis of statement recorded by respondent no.2-complainant on 24.03.2024 alleging that his wife had taken a loan of amount of Rs.70,000/- and a sum of Rs.40,000/- has been paid. However, the petitioner had been harassing his wife and was claiming that he had to take an amount of Rs.3,50,000/- from her. Even on 20/21.03.2024, he made calls to his wife and after calling her to his house, he had insulted her. He alleged that due to feeling harassed, his wife had ended her life on 22.03.2024 by jumping in Bhakhra Canal. After the registration of the case, investigation is under way.

Learned counsel for the petitioner has argued that in fact the victim had borrowed an amount of Rs.5 lakhs from him and had issued a post dated 05.02.2024 cheque to secure payment of loan in favour of the petitioner. The said cheque had been dishonoured on 09.02.2024. However, since there were good relations between the parties, therefore, the petitioner did not proceed to file any complaint for this dishonoured cheque as against the victim but as he himself was raising construction of his house, therefore, he needed money and that is why he was asking her to give back the same. It is argued that no harrassment or abetment to commit suicide on his side of the victim.

He is ready to join the investigation. His custodial interrogation is not required.

Notice of motion.

Learned State counsel who has advance notice of this petition seeks time to file status report.

Adjourned to 28.05.2024.

Notice to respondent no.2 be also issued for the date fixed, on depositing the requisite process fee.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C. '

Learned State counsel has filed status report in the Court today and the same is taken on record. Registry is directed to tag the same at an appropriate place in the file. He further, on instructions from ASI Bikram Khan, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 18.04.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

15.07.2024
Neha

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