

2024:PHHC:105668



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-28997-2024 (O&M)
Date of Decision:- 14.08.2024

Harvinder Singh Harpal Pur Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S.Ahluwalia, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Jasbinder Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
29	05.05.2024	Kheri Gandian, District Patiala	304 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.



2. At the time of issuance of interim bail the following order was passed on 31.05.2024:

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.29 dated 05.05.2024 registered under Sections 304 of IPC at Police Station Kheri Gandian, District Patiala.

Counsel for the petitioner *inter alia* contends that petitioner is falsely implicated in the present case with regard to death of Surinderpal Singh who was among the farmers who were agitating against BJP candidate from Patiala Lok Sabha seat and farmers were stopping the said candidate and her supporters from entering into a particular village and in the meantime Surinderpal Singh died at the spot on 04.05.2024. Counsel for the petitioner while referring to the post mortem report of the deceased submits that no external mark of injury was found on the dead body and cause of death has been deferred till the receipt of report of Histopathology and report of chemical examination. Counsel for the petitioner further submits that as per his instructions the deceased died due to chronic heart disease and extreme summer weather. It is further submitted that the alleged incident was also covered in a mobile phone as per which when the deceased collapsed, petitioner was not present near him. Counsel for the petitioner further submits that petitioner is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on telephonic instructions from DSP Avtar Singh submits that one of the agitating



farmer namely Surinderpal Singh collapsed while the farmers were objecting the entry of the Patiala Lok Sabha candidate belonging to BJP party in a particular village and the said farmer died at the spot. State counsel has not disputed the fact that at the time of post mortem examination no external injury was found on the dead body and that the cause of death will be finally determined on receipt of report of Histopathology and report of chemical examination. State counsel further submits that as per his instructions, petitioner was not present near the deceased when he collapsed at the spot.

Now be listed on **14.08.2024.**

In light of the above, as no external or internal injury was found on the dead body of the deceased and final report with regard to cause of death is still awaited, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 438(2) of Cr.P.C.”

3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 31.05.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as

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and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

14.08.2024
Mohan

(GURVINDER SINGH GILL)
JUDGE

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