



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215 CRM-M-29398-2024(O&M)
Date of Decision: 18.07.2024

SONU SINGHPetitioner
VERSUS
STATE OF HARYANARespondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Chanderhas Yadav, Advocate for the petitioner.
Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.
seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
53	20.03.2024	P.S.- Badhra, District Charkhi Dadri	306, 34, 506 IPC

2. Vide order dated 04.06.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 04.06.2024 is reproduced as under:-

“The instant petition has been filed under Section 438 of Cr.P.C. by the petitioner seeking pre-arrest bail in case arising out of FIR No.53 dated 20.03.2024 registered under Sections 306, 34 and 506 of IPC at Police Station Badhra, District Charkhi Dadri on the basis of written complaint filed by the complainant- Mahinder Singh alleging therein that the present petitioner who is having illicit relationship with the co-accused Kavita, who is wife of his brother-Jogender, had been harassing the latter from last many days and had been extending threats to him. Due to



harassment meted out at their hands, his brother consumed some poisonous substance and had committed suicide. After registration of the FIR, investigation proceedings have been initiated and during the course of the investigation, a suicide note written by the victim, had been recovered from the purse of the deceased wherein, he alleged that the petitioner and his wife-Kavita had been extending threats to kill him and that is why he had caused injuries to his wife with an axe and also wrote that both of them had taken away his minor daughter. He also disclosed that he had consumed a salphaz tablet because of that reason and that the present petitioner was responsible for his death. The co-accused Kavita had been arrested on 27.04.2024 and is in custody. The petitioner had moved an application for grant of anticipatory bail before the Court of learned Sessions Judge, Charkhi Dadri, which has been dismissed on 28.05.2024.

It is argued by learned counsel for the petitioner that he is an Army Personnel and is married. He is posted at Jammu and Kashmir and he has been falsely implicated in this case due to village politics. The ingredients for commission of offence punishable under Section 306 of IPC have not been made out against him. It is submitted that he is having no relation with the co-accused and any kind of threat has not been extended by him. He is ready to join the investigation and his custodial interrogation is not required.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

At this stage, on oral request of learned counsel for the petitioner, the complainant is ordered to be impleaded as respondent No.2 in this petition.

Amended memo of parties be filed by the counsel for the petitioner today, itself.



At this stage, Mr. Sumit Sangwan, Advocate appeared and has filed his vakalatnama on behalf of respondent No.2. He seeks time to file reply.

Adjourned to 18.07.2024.

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.”

3. Learned State counsel filed status report dated 06.07.2024. The same is taken on record. He further, on instructions states that the petitioner has joined the investigation on 07.06.2024. His custodial interrogation is no more required. No useful purpose would be served by detaining him in custody. In view of the said facts but without commenting on the merits of the case, the present petition is allowed and the order dated 04.06.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

18.07.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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|----|---------------------------|--------|
| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |