

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-34371-2023

Date of decision: 09.01.2024

Jarnail Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Raman Mohinder Sharma, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

Mr. K.S. Brar, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.39 dated 16.06.2023 under Sections 306 and 34 of the Indian Penal Code, 1860, registered at Police Station Sadar, Abohar, District Fazilka.

2. On 19.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner has submitted that it is a case where the complaint was filed by the brother of the deceased by alleging that the daughter of the petitioner was blackmailing the deceased and had also taken some amount of money from him and also as per the suicide note, the main allegation is against the daughter of the petitioner and although his name has been mentioned in the suicide note that a threat was made from him but that does not constitute an offence of abetment of suicide nor there is any other direct evidence available with the

police in this regard. He further submitted that basic ingredients of Section 306 read with Section 107 of the IPC are not fulfilled. He submitted that so far as the present petitioner is concerned, he being father has been unnecessarily dragged in the present FIR only because of the fact that his name has been mentioned in the suicide note, but the role attributable to the petitioner does not constitute an offence of abetment to commit suicide. He further submitted that he has instructions to state that the petitioner will join the investigation as and when called by the I.O. and he also undertakes to co-operate with the investigation process in all respect.”

3. Learned counsel for the petitioner submits that in compliance of order dated 19.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 19.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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