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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-52476-2023 (O&M)
Date of decision : 10.01.2024

Jarnail Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ranbir Singh Sekhon, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by ASI Kulbeer Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.78 dated 26.07.2023, under Sections 306 & 120-B of the Indian Penal Code, 1860, registered at Police Station Khalra, District Tarn Taran.

2. Allegations are that petitioner hatched conspiracy with his co-accused and abetted the commission of suicide by deceased-Gurlal Singh.

3. A Coordinate Bench, on 20.10.2023, granted interim bail to petitioner and relevant part of the same reads as under:-

" Notice of motion.

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On advance service of copy of petition, learned State counsel appears and accepts notice on behalf of respondent-State of Punjab and seeks time to file reply.

Post it on 12.12.2023.

In the meanwhile, petitioner shall join investigation, as and when required by the Investigating Agency and subject to his reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the petitioner shall be taken. In case, his arrest is required to be caused, petitioner shall be released on bail by the Arresting Officer till the next date of hearing on his furnishing personal bonds to the satisfaction of Arresting Officer. Petitioner shall also abide by all the conditions as envisaged under Section 438(2) Cr.P.C."

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Kulbeer Singh and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 20.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

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8. 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.

9. Disposed off accordingly.

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

10.01.2024 **(MAHABIR SINGH SINDHU)**
atulsethi **JUDGE**

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No

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