



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M No.33974 of 2024
Date of decision: 06.11.2024

JAGTAR SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Imaan Singh Khara, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.90 dated 01.07.2024 under Sections 306 and 34 of IPC registered at Police Station Samana, District Patiala.
2. Vide order dated 18.07.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 18.07.2024, passed by this Court, reads as under:

"The prayer in the petition under Section 482 of Bhartatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) for grant of anticipatory bail to the petitioner in FIR No.90 dated 01.07.2024 under Sections 306 and 34 of IPC registered at P.S. Samana, District Patiala.

The Counsel for the petitioner contends that the allegations as levelled in the FIR against the petitioner who is the father of Pardeep Kaur wife of Kulwant Singh (deceased) would not amount to abetment as defined under Section 109 read with Section 306 IPC.

Notice of motion for 14.08.2024.

On the asking of the Bench, Ms. Seema Sandhu, Additional Advocate General Punjab accepts notice on behalf of the State.



In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;*
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.*

Meanwhile, State is directed to file reply to the petition.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 20.07.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 18.07.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

06.11.2024

Jyoti-IV

(MANISHA BATRA)

JUDGE

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