



CRM-M-38866-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

201

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Date of Decision:- 12.12.2024

**Bhupinder Singh**

....Petitioner

Vs.

**State of Punjab**

...Respondent

**CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI**

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

Mr. Kewal Singh, Addl. A.G., Punjab.

Mr. Kulwinder Singh Advocate for  
Mr. Ravinder Singh, Advocate for complainant.

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**AMARJOT BHATTI, J.**

1. Petitioner Bhupinder Singh has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.218 dated 25.06.2024, under Sections 304, 34 of IPC, 1860, registered at Police Station City Kharar, District SAS Nagar, Punjab.

2. As per facts of the case, Mani Singh complainant gave his statement to the police that his elder brother Inderjit Singh Ladi was heart patient and was undergoing treatment at PGI, Chandigarh. Their neighbour Bhupinder Singh, his wife Paviter Kaur had dispute with them regarding common wall. Bhupinder Singh quarreled with them several times and ultimately the matter was resolved and parties were to appear in Tehsil



Kharar for written compromise. On 24.06.2024, he approached Bhupinder Singh to come to Tehsil Kharar who told him to reach there but he did not turn up. At about 4:00 PM, their neighbour informed that Bhupinder Singh was demolishing the common wall. His elder brother Inderjit Singh Ladi went outside and tried to stop him. Bhupinder Singh started abusing his brother. The complainant tried to handle his brother who became nervous and suffered heart attack. Said Bhupinder Singh, his wife Paviter Kaur did not listen to them. Ultimately, his brother was taken to Civil Hospital, Phase-VI, Mohali where he was declared dead. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against him are false. Petitioner had purchased house measuring 4-2/5 marlas in dilapidated condition vide sale deed dated 05.05.2023 from Manmohan Singh son of Joginder Singh. House of complainant is situated towards the back side. Therefore, they have common backside wall. Site plan is Annexure P-3. The photographs of the property are Annexure P-4 showing the demolishing of room on first floor and the front gate to which the complainant or his family had no concern. No offence under Section 304 of IPC is made out. He has already joined the investigation and he is still ready to do so. Therefore, his anticipatory bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State assisted by learned counsel for complainant. Learned counsel representing State confirmed that in compliance of order dated 12.08.2024, petitioner has joined investigation on 19.08.2024 and no recovery is to be effected from



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him.

5. Learned counsel for complainant filed reply confirming the allegations and also placed on record the photographs Annexure R-2/1 to R-2/8. It is pointed out that due to the quarrel which took place on the spot, elder brother of complainant Inderjit Singh Ladi suffered heart attack which resulted into his death.

6. I have considered the aforesaid factual position. Facts of the case indicate that there was dispute regarding common wall between the parties, otherwise, the accused was demolishing the old construction over the property which he had purchased on the basis of sale deed. No recovery is to be effected from the petitioner. He has already joined the investigation. Therefore, no purpose would be served by sending the petitioner behind the bars. Accordingly, anticipatory bail petition filed by petitioner –Bhupinder Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) BNSS.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

12.12.2024

*Sunil Devi*

**(AMARJOT BHATTI)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

: Yes/No  
: Yes/No