



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-40531-2024
Date of decision: 19.11.2024

GURWINDER SINGH BAJWAPETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Vikas Gupta, Advocate for the petitioner.
Ms. Seena Sandhu, Addl. A.G. Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
34	08.06.2023	306 of IPC	Talwandi Chaudhrian, District Kapurthala.

2. Learned counsel for the petitioner submits that in compliance to the order dated 23.10.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 23.10.2024.
3. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing on 23.10.2024, following order was passed:



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“ 2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case without any basis. He has no concern with the demise of the deceased nor he had any concern with the deceased who himself was running the travel agency. He submits that no amount was ever paid to the petitioner and even the S.P. (Investigation), Kapurthala, has declared the persons Sukhjit Singh etc. to be innocent, who according to the allegations levelled in the FIR, were also instrumental in instigating the husband of the complainant to commit suicide.

3. Learned State counsel, on instructions from ASI Sukhdev Singh, has not disputed the fact that the S.P. (Investigation), Kapurthala, has declared the persons Rajwinder Kaur, Sukhjit Singh, Kulbir Kaur named in the FIR to be innocent and this has been approved by the Senior Superintendent of Police, Kapurthala as well. The investigating officer admits that there is nothing on record to suggest that any amount was paid by these persons, who were declared innocent, to the present petitioner.

4. Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.

5. List on 19.11.2024.”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 23.10.2024 passed by this Court, interim

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bail granted vide order dated 23.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioners is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

19.11.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |