



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

210B**CRM-M-43638 of 2024****DATE OF DECISION :- 01.10.2024****Arshdeep Garg alias Harsh Garg****...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Gurvinder Singh Aulakh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 0052 dated 12.05.2024 registered for offences punishable under Sections 306 & 34 IPC at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. On 04.09.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 0052 dated 12.05.2024 registered for offences punishable under Sections 306 & 34 IPC at Police Station Gidderbaha, District Sri Muktsar Sahib; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that the offence of Section 306 of IPC is not made out against the petitioner from the factual matrix of the case; no recovery is made out from the petitioner & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgment by the Hon’ble Supreme Court rendered in ‘Mohit Singhal & Anr.



Versus The State of Uttarakhand & Ors.’ Criminal Appeal No. 3578 of 2023.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 01.10.2024.

The petitioner is directed to appear before the Investigating Officer on 09.09.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from SI Baj Singh, has stated that pursuant to the order dated 04.09.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition stands allowed and the interim order dated 04.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

Yes/No