



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

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**CRM-M No.45269 of 2024
Date of decision : 21.10.2024**

Surjit Singh and another**Petitioners**

Versus

State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ankit Bishnoi, Advocate, for
Mr. Gurbhej Singh, Advocate, for the petitioners

Mr. Anup Singh, AAG, Punjab

Mr. Anil K. Sagar, Advocate, for the complainant

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the
petitioners in case FIR No.117 dated 23.7.2024, under Sections 498-A,
406 and 120-B of the IPC, registered at Police Station Sardulgarh, District
Mansa, Punjab.

2. On 30.9.2024, the following order was passed:

*'Mr. Anil K. Sagar, Advocate has appeared and filed vakalatnama on
behalf of complainant. The same is taken on record.
Inter alia contends that the genesis of the FIR in question is a matrimonial
discord between the petitioners and victim-wife; petitioners are willing to
return the dowry articles/istridhan including gold articles in their
possession to victim-wife; petitioners are ready for an amicable settlement
as well & petitioners are willing to join investigation and cooperate*



therein in accordance with law. In order to buttress his arguments, learned counsel for the petitioners has relied upon the dicta of the judgments rendered by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, 2014 AIR (SCW) 3930, and reiterated in Md. Asfak Alam Vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610.

Adjourned to 21.10.2024.

The petitioners are directed to appear before the Investigating Officer on 04.10.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.'

3. Status report by way of affidavit of Manjeet Singh, PPS, Deputy Superintendent of Police, Sub-Division Sardulgarh, District Mansa, has been filed in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner.

Learned State counsel (on instructions) submits that pursuant to the order dated 30.9.2024, the petitioners have joined investigation and are no longer required for custodial interrogation. Learned counsel for the complainant has vociferously opposed the grant of anticipatory bail on the ground that the allegations levelled against the petitioners are serious in nature.

4. Keeping in view the entirety of the facts and circumstances of the case, especially the State is not requiring the custodial interrogation of the petitioners except to effect recovery to the satisfaction of the complainant, the interim order dated 30.9.2024, passed by this Court is made absolute, subject to the conditions as enumerated under Section



482(2) of BNSS.

5. This order should not be treated as “blanket” order. It will not be read granting petitioners 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 petitioners violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

21.10.2024
Ashwani

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