



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.49841 of 2024
Date of decision: 29.11.2024

MANDEEP SINGH

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Satbir Singh Gill, Advocate for the petitioner.

Mr. Neeraj Poswal, A.A.G., Haryana.

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.263 dated 20.08.2024 registered under Section 108 of Bharatiya Nyaya Sanhita, 2023 (for short-BNS) at Police Station Kalanwali, District Dabwali (Sirsa).

2. Vide order dated 04.10.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 04.10.2024, passed by this Court, reads as under:

“Through the instant petition, filed under Section 482 of BNSS, 2023, the petitioner seeks grant of anticipatory bail in case arising out of FIR No.263 dated 20.08.2024 registered under Section 108 of Bharatiya Nyaya Sanhita, 2023 (BNS) at Police Station Kalanwali, District Dabwali (Sirsa).



Brief facts of the case are that the aforementioned FIR has been registered on the basis of the statement recorded by complainant-Arshdeep Singh alleging therein that Rajandeep Kaur, who was his sister, had gone along with her mother to stay in the house of her maternal grandfather on 29.07.2024. His mother had returned. On 01.08.2024, Sukhdeep Singh, by representing himself as cousin brother of Rajandeep Kaur, took her (Rajandeep Kaur) along with him. 5-6 days thereafter, the family of the complainant came to know that Sukhdeep Singh had performed marriage with Rajandeep Kaur. It was also revealed that the family members of the Sukhdeep Singh, namely, Rinku Singh, Sagandeep Singh and petitioner Mandeep Singh had a hand in enticing away Rajandeep Kaur. The father of the complainant made complaint to them and also told them to at least return gold earrings weighing about 1 tola and gold stamp weighing about 1.5 tola which had been taken by Rajandeep Kaur along with her but on hearing so, they extended threats to the father of the complainant. The complainant alleged that feeling ashamed, his father committed suicide on 21.08.2024 by consuming some pesticide. While alleging that before dying his father had disclosed to him that he had committed suicide because of Sukhdeep Singh, Rajandeep Kaur, Rinku Singh, Sagandeep Singh and petitioner Mandeep Singh, he prayed for taking action against them. After registration of the FIR, investigation



proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail, which had been dismissed by learned Additional Sessions Judge, Sirsa vide order dated 03.09.2024.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He came to know about the death of the father of complainant only when the police raided his house. He has never abetted the suicide by victim Tahal Singh. The ingredients of Section 108 of BNS are not made out against him. The petitioner has never remained in touch with the deceased and has no role to play in his suicidal death. He is a relative of Sukhdeep Singh, with whom, daughter of the victim had got married and otherwise, he has no connection with the victim. He is ready to join the investigation. No useful purpose would be served by detaining him into custody. Co-accused Sukhdeep Singh and Rajandeep Kaur have since been granted benefit of interim anticipatory bail by this Court, vide order dated 09.09.2024 passed in CRM-M-44406-2024. Hence, on the grounds of parity too, he deserves to be granted concession of anticipatory bail.

Notice of motion.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana, who is present in Court, accepts notice on behalf of the respondent-State and seeks some time to file the status report. However, it is argued by



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him that the custodial interrogation of the petitioner is required keeping in view the nature of allegations levelled against him.

Adjourned to 29.11.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.”

3. Status report dated 27.11.2024 filed on behalf of respondent-State is taken on record. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 08.10.2024 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 04.10.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)
JUDGE

29.11.2024
Jyoti-IV

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