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

**CRM-M-391-2025 (O&M)
Date of decision : 28.02.2025**

Mangal Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kuldip Singh, Advocate, for the petitioners.

Ms. Manjot Kaur, AAG, Punjab assisted by
Sub Inspector Paramjit Singh.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), for grant of bail pending trial to the petitioners in FIR No.13 dated 07.03.2024, under Section 306 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sadar Jalalabad, District Fazilka.

2. Allegations are that petitioners along with co-accused instigated the son of complainant to commit suicide.

3. Contends that petitioners are in custody since 20.09.2024; after investigation, final report under Section 173 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') was submitted on 18.11.2024; but charges are yet to be considered.



3.1 Also contends that petitioners were granted interim bail by this Court on 15.01.2025 and they are regularly appearing before learned trial Court.

3.2 Again contends that there is no apprehension that petitioners are likely to influence the prosecution witnesses or hamper the trial, in any manner.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 15.01.2025 and the order reads as under:-

“Contends that petitioners are in custody since 20.09.2024; final report under Section 173 Cr.P.C was presented on 18.11.2024 and charges are yet to be framed; thus, conclusion of trial will take sufficient long time.

Learned State counsel will verify the pendency of other cases against the petitioners.

Posted for 28.02.2025.

In the meanwhile, petitioners be released on interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. It is not in dispute that petitioners remained in custody from 23.09.2024 to 15.01.2025; final report under Section 173 Cr.P.C. was submitted on 18.11.2024, but charges are yet to be considered.



Learned State counsel also acknowledged that after granting interim bail vide order dated 15.01.2025, petitioners have not misused the concession in any manner.

8. Consequently, present petition is allowed. Interim bail granted to the petitioners, vide order dated 15.01.2025, is made absolute. Petitioners shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioners shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. Above observations be not construed as an expression of opinion on merits of case, in any manner.

11. It is clarified that in case there is any misuse of concession of bail on the part of the petitioners, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

28.02.2025
d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No