



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

CRM-M-2839-2025 (O&M)
Date of decision: 24.02.2025

Kulwinder Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jitender Singh Dadwal, Advocate for the petitioners.

Ms. Avneet, AAG, Punjab for the respondent.

None for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of pre-arrest bail to the petitioners in FIR No.0078 dated 24.10.2024 (P-1), under Sections 108, 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (*for short* 'BNS'), registered at Police Station Kheri Gandain, District Patiala.

(2) Above FIR was registered by *de facto* complainant-Kulwinder Singh with the allegations that his son committed suicide due to harassment meted out by petitioners and their co-accused.

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(3) Learned Counsel contends that petitioners were granted interim relief by this Court, vide order dated 21.01.2025 and in pursuance thereof, they have already joined the investigation; hence, their custodial interrogation is not required.

(4) Learned State Counsel, on instructions from ASI Jaswinder Pal, acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioners is not required.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It is not in dispute that petitioners were granted interim relief by this Court, vide order dated 21.01.2025 and the order reads as under:-

“Contends, inter alia, that co-accused, namely, Satnam Singh and Harpreet Kaur, with similar allegations have been granted interim protection by this Court (P-2 & P-3, respectively).

Notice of motion.

At this stage, Mr. Kunwarbir Singh, learned AAG, Punjab, accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.

Posted for 18.02.2025.

In the meanwhile, petitioners shall join investigation and till the next date of hearing, their arrest shall remain stayed.”

(7) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation and their custodial interrogation is not required.

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(8) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners. Consequently, present petition is allowed; interim order dated 21.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(9) It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

(10) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(11) It is also clarified that in case of any recurrence on the part of petitioners, State would be at liberty to move an appropriate application for recalling of this order.

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

24th February, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>