



213 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-10456-2025 (O&M)
Date of Decision: 04.04.2025

GULAB

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sanjeev Kadian, Advocate for
Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavata, AAG Haryana.

Mr. R.K. Girdhwal, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.39 dated 29.01.2025 under Section 108 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Asauda, Bahadurgarh, District Jhajjar.

2. On 04.03.2025, following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.39 dated 29.01.2025 under Section 108 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Asauda, Bahadurgarh, District Jhajjar.

In compliance of the order passed by this Court on 24.02.2025, status report by way of affidavit of Rajender Singh, HPS/ACP, Bahadurgarh, District Jhajjar has been filed in the Court today, which is taken on record and copy thereof has been supplied to learned counsel for the petitioner.

Learned counsel for the petitioner refers to statement of wife of the deceased recorded by the jurisdictional police authorities, which is attached with the status report as Annexure R-1 and submits that the alleged suicide was committed by the deceased on 28.01.2025, whereas as per statement made by his wife, the deceased along with her visited house of the petitioner at Village



Bohar in November, 2023 and thereafter, in January, 2024, when the petitioner refused to return the amount. As such, necessary ingredients to make the petitioner liable for abetting the deceased to commit suicide are clearly missing. There is nothing on record that the petitioner was in touch with the deceased immediately prior to suicide committed by him or he played any active role, which has any close proximity with suicide of the deceased.

Notice of motion for 04.04.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Learned State counsel on instructions from ASI Narender, submits that in compliance of order dated 04.03.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 04.03.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.

5. The petition is accordingly disposed of.

04.04.2025	(HARPREET SINGH BRAR)	
Ajay Goswami	JUDGE	
	<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
	<i>Whether reportable</i>	<i>Yes/No</i>