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

CRM-M-19637-2025

Date of decision: 20.05.2025

Nihar Khurana

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anuj Tanwar, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.767 dated 09.12.2024 (Annexure P-1) under Sections 108/3(5) of BNS registered at Police Station City Hansi, District Hisar.

On 21.04.2025, the following order was passed:-

'Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.767 dated 09.12.2024, registered under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS, 2023'), at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner inter alia contends that there is no evidence to remotely suggest that the petitioner was in touch with the deceased immediately before his suicide and the allegations against the petitioner are that he owed Rs.3800/- to the deceased. The allegation contained in the FIR does not make out a case of abetment against the petitioner.

Learned State counsel has filed status report by way of affidavit of Ravinder Sangwan, Deputy Superintendent of Police, Hansi, and refers to Para 4 of the same to answer the query raised by this Court on 08.04.2025. He submits that the call detail records were procured by the investigating officer during the investigation and submits that the petitioner was not in touch with the deceased since 01.11.2024.

Learned counsel for the complainant submits that the petitioner has been specifically named in the suicide note and as such, he is not entitled for concession of bail. Adjourned to 20.05.2025.

*In the meantime, keeping in view the 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***



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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 the Investigating Officer within two weeks from today and on doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS.

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

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.'

Learned State counsel on instructions from ASI Jai Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 21.04.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

20.05.2025

Neha

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