

2025:PHHC:095766



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

**CRM-M-25499-2025
DECIDED ON: 30.07.2025**

PARVINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. ADS Jattana, Advocate and
Mr. Mandeep Singh Gill, Advocate
for the petitioner
Mr. Rajiv Verma, Senior DAG Punjab
Mr. Kanwaljeet Singh Brar, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 54 dated 08.05.2024 under Sections 306 of IPC, registered at Police Station Vairoke, District Fazilka.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner has submitted that the prosecution is now proceeding on the basis of two alleged suicide notes while conducting the investigation, despite the fact that a cancellation report had earlier been filed vide Rapat No. 33 dated 05.09.2024, after obtaining due approval from the Senior Superintendent of Police, Fazilka. It is further submitted that, on the basis of the

said cancellation report, the petitioner was discharged by the learned Trial Court upon an application moved by the prosecution, vide order dated 06.09.2024 (Annexure P-2).

On behalf of the State/complainant

Reply filed by way of an affidavit of Jatinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad, District Fazilka, is taken on record.

Learned counsel appearing on behalf of the complainant submits that although a cancellation report was filed earlier, the investigation is still ongoing in light of the two suicide notes. It is contended that the petitioner is not entitled to the concession of anticipatory bail, as specific allegations have emerged from the contents of Suicide Note No. 1 (Annexure P-8), wherein the petitioner has been explicitly named along with Sukhpal Singh and his wife Harvinder Kaur, alleging harassment by them.

3. **Analysis**

A perusal of the complaint dated 02.07.2024 (Annexure P-8), particularly paragraph 4, reveals that the complainant has relied upon two suicide notes. However, the contents of the second suicide note raise serious doubts regarding its authenticity, as the language used therein suggests that it may have been authored after the alleged suicide of the deceased, Gurmel Singh. The wording of which needs to be reproduced hereinbelow:-

“I was disturbed on account of having taken possession of my shops. Because of the said reason, I have committed suicide and action be taken against Randeep Siongh, Lovely and Tikka Singh. Signed Gurmel. ”

The above-said fact would be suffice enough for this Court to raise doubt on the story of the prosecution at this stage as the guilt of the petitioner is yet to be proved in a case of Section 306 of IPC.

This Court is sanguine of the fact that on an earlier occasion, the police had prepared a cancellation report and it was only on the direction of the this Court in CRM-M-49953-2024 preferred by one Nazim, which was disposed off vide order dated 04.10.2024 with the following order:-

After considering the respective submissions made by learned counsel for the petitioner and the averments made in the petition, without commenting on the merits thereof, the present petition is disposed of with direction to respondent No.2-Director General of Police, Punjab to consider and dispose of the representation dated 13.09.2024 (Annexure P-6) in accordance with law in an expeditious manner. The decision so taken be intimated to the petitioner as well."

From the State's reply submitted in court, specifically paragraphs 5 and 6, it appears that an order was passed to consider and decide the representation dated September 13, 2024 (Annexure P-6) based on misrepresentation. Despite this, authorities have recommenced investigation without a specific direction, even though the investigation was already complete and a cancellation report had been approved by the Senior Superintendent of Police, Fazilka, as per the order dated September 6, 2024 (Annexure P-2).

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

30.07.2025

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No