

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M No.36823 of 2024
Date of decision: 10.01.2025

RAJINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. H.P.S Ghuman, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. 140 dated 09.07.2024, registered under Sections 108, 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') at Police Station Sadar Nabha, District Patiala.

2. Vide order dated 01.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 01.08.2024, passed by this Court, reads as under:

“Learned counsel for the petitioner inter alia contends that the deceased was the brother of the petitioner. They had already partitioned their property, residential accommodation, agricultural implements etc. vide family partition dated 07.06.2019 (Annexure P-3). The parties are living separately and had been in possession of their land, agricultural implements and none of parties had raised any objection regarding the partition. The deceased was dealing in business of property and suffered huge loss in business. Earlier on



13.06.2024 also, he made an attempt to commit suicide. A photocopy of the Admission Record of Nabha Medicare Hospital has been produced in Court and the same is ordered to be placed on record, wherein it is mentioned that the patient was under depression.

No date is mentioned on the suicide note in question. No date is mentioned in the suicide note when the petitioner had insulted the petitioner or his relatives.

Notice of motion.

Pursuant to advance notice to the office of Advocate General, Punjab, Mr. Rajinder Singh Bhatta, DAG, Punjab is present to assist the Court and seeks some time to file status report.

Mr. Mukesh Garg, Advocate has also put in appearance on behalf of the complainant and filed his Vakalatnama.

A perusal of the file shows that the deceased had earlier attempted to commit suicide on 13.06.2024 by consuming insecticides but he survived.

In the medical Admission Card, it is mentioned that the patient was under depression. The suicide note is silent as to how the deceased and his relatives were insulted and how the petitioner was responsible for insulting him or his relatives. The family partition had already taken place long way back on 07.06.2019.

List on 18.11.2024.

In the meantime, the petitioner is directed to join the investigation as and when called by the SHO/Investigating Officer. In the event of his arrest, he shall be released on interim bail, on furnishing bail bonds and surety bonds to the satisfaction of



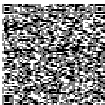
SHO/Investigating Officer, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C. :-

- “1. that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- 2. that the petitioner 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;*
- 3. that the petitioner shall not leave India without prior permission of the Court;*
- 4. that the petitioner shall also submit his Passport to the Investigating Officer;*
- 5. that the petitioner shall give affidavit regarding his mobile number to the Investigating Officer and shall not change his mobile number during pendency of the case.”*

In case the petitioner do not co-operate or violate this order, then the prosecution is free to move application for cancellation of bail granted to the petitioners.

Status Report be filed on or before the next date of hearing.”

3. Status report dated 13.12.2024 filed on behalf of the respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed



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and the order dated 01.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

10.01.2025 (MANISHA BATRA)
Jyoti-IV JUDGE

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