



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

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CRM-M-45753-2024

Date of decision : 06.02.2025

Manpreetpal (Minor) through his Mother

....Petitioner

V/S

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Manjit Kaur Saini, Advocate for the petitioner.

Mr. Anup Singh, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. On the last date of hearing i.e. 16.09.2024, the following order was passed :-

“Prayer in this petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.) is for grant of anticipatory bail to the petitioner in case FIR No.0345 dated 28.12.2022 (Annexure P-1) under Section 306 IPC, registered in Police Station Model Town, District Hoshiarpur.

Learned counsel for the petitioner, inter alia, submits that the petitioner is the nephew-in-law of the deceased i.e. the younger paternal uncle/Chacha of the petitioner was married to the deceased in the year 2019. Learned counsel submits that the Chacha of the petitioner had committed suicide on 11.4.2019; and the Chachi/present deceased had committed suicide on 17.12.2022. The present FIR has been registered on the basis of statement made by mother of the deceased/Chachi of the petitioner. It is submitted that the only allegation against the petitioner in the present FIR is that he, alongwith his other family members including his grand-father and parents used to harass the deceased to such an extent that she was forced to commit suicide. Learned counsel submits that the allegations made against the petitioner in the FIR are false and fabricated. Learned



*counsel further submits that the main accused/grand-father of the petitioner has been granted bail by the learned Additional Sessions Judge, Hoshiarpur vide order dated 10.07.2024 (Annexure P-5); and the interim bail order passed in favour of the mother of the petitioner was confirmed vide order dated 14.8.2024 (Annexure P-6) passed by the Additional Sessions Judge, Hoshiarpur. The petitioner is a juvenile and the bail application of the petitioner has been dismissed by the learned Additional Sessions Judge, Hoshiarpur vide order dated 29.6.2024 (Annexure P-4) only on the ground that the petitioner is juvenile and his bail application is not maintainable. Learned counsel for the petitioner relies upon the Division Bench judgment of this Court passed in **CRM-M-17856-2020 (alongwith connected petitions)** titled as '**Jatin vs. State of Punjab**', decided on **29.05.2024** to submit there is no bar to grant anticipatory bail to a Child in Conflict with the Law. Learned counsel also relies upon the judgment of the Hon'ble Supreme Court in **Criminal Appeal arising out of Special Leave Petition (Crl.) No.9566/2024**, titled as '**Juvenile in Conflict with Law V versus The State of Rajasthan and another**' decided on **14.08.2024**.*

Learned counsel for the State seeks time to file the detailed status report in the matter.

Adjourned to 06.2.2025.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;*
- ii) 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/her from disclosing such facts to the Court or to any police officer ;*
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.*



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Meanwhile, State counsel is directed to file an affidavit as to the exact role of the petitioner alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

2. Learned counsel for the petitioner has submitted that, in pursuance to the order dated 16.09.2024 passed by this Court, the petitioner has appeared before the Investigating Officer and has joined the investigation.

3. Short reply by way of an affidavit of Sh. Dev Dutt Sharma, PPS, Deputy Superintendent of Police, Sub-Division City, District Hoshiarpur, on behalf of respondent No.1, has been filed by learned State counsel in the Court today which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

4. In para 9 of the abovesaid reply, it has been stated that the petitioner and juvenile Dharam Pal have been declared innocent in the present case and now they are not required in the present case.

5. In view of the stand taken by the respondent-State in the short reply, the present petition is disposed of as no further orders are required to be passed in the petition.

06.02.2025

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No