



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

215**CRM-M-53921-2024****Date of decision: 28.01.2025****ALAM DIN**

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms.Amarjeet Kaur, Advocate for
Mr. Mohd. Salim, Advocate, for the petitioner.

Mr.Baljinder Singh, DAG, Punjab.

Mr.Rahul Rana, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 in case FIR No.247 dated 27.09.2024 under Sections 105, 238, 3(5) of the Bhartiya Nyaya Sanhita, 2023, registered at Police Station Jandiala, District Amritsar (Rural).

2. Short reply by way of affidavit of Sh.Darminder Kalyan, PPS Deputy Superintendent of Police, Sub-Division Jandiala, Amritsar (Rural), (Additional Charge), has been filed in Court today on behalf of respondent-State. The same is taken on record. A copy thereof has been handed over to learned counsel for the petitioner.

3. On the last date of hearing i.e. on 04.11.2024, while noticing the following submissions made by the learned counsel for the petitioner,



this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that a perusal of the FIR, which has been annexed as Annexure P-1, leaves no manner of doubt that in the absence of any material on record to suggest that it was a case of homicide, totally false allegations have been levelled against the petitioner; it has been submitted that it is a matter of record that the deceased was cremated without any post mortem report as the complainant had at no point in time raised any suspicion qua the deceased having been intentionally electrocuted.

Learned counsel has further argued that even assuming for the sake of argument though not admitted that there is grain of truth in the allegations levelled in the FIR, however they do not even remotely attract the mischief of offence under Section 105 of the Bhartiya Nyaya Sanhita, 2023. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 04.11.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, has submitted that although the petitioner has joined investigation and cooperated with the investigating agency, however, the car in which the deceased was removed after he suffered an electric shock while working at the electricity pole, has not yet been recovered. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.



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5. In view of the above, the petition is allowed and interim order dated 04.11.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

January 28, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

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