



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
209

CRM-M-62577-2024 (O&M)
Date of decision: 25.02.2025

Jaswinder Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sourabh Sheoran, Advocate
for the petitioner (through video conferencing)

Mr. Sandeep Kumar, DAG, Punjab.

Mr. H.P.S. Ghuman, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.328 dated 17.11.2024, registered under Sections 406, 420 and 120-B IPC, at Police Station Patran, District Patiala.

2. On 24.01.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner inter alia contends that as a counter-blast to the proceedings initiated by the petitioner against the complainant and her son, the instant FIR has been registered against the petitioner. He submits that the dispute between the parties occurred on account of matrimonial discord and the petitioner is the son-in-law of the complainant. Lastly, he



submits that the maximum sentence under which the FIR (supra) has been registered is punishable upto 07 years.

Mr. H.P.S. Ghuman, Advocate, has caused appearance on behalf of the complainant and filed Memo of Appearance, which is taken on record.

Learned State counsel has filed Status report by way of affidavit of Inderpal Chohan, Deputy Superintendent of Police, Sub-Division Patran, District Patiala, today in the Court which is taken on record and on the basis of the said report, he along with learned counsel appearing for the complainant opposes the prayer made by learned counsel for the petitioner.

Adjourned to 25.02.2025.

*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 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.”

- 3. Learned State counsel, on instructions from ASI Rajveer Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 24.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

25.02.2025
yakub

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