



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

211-1

**CRM-M No.65528 of 2024
Date of decision: 20.02.2025**

SUKHDEV KUMAR GUPTA AND OTHERS Petitioners

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Chiranshu Rattan, Advocate for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ankur Jain, Advocate for the complainant.

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 petitioners in case FIR No.74 dated 02.10.2024, under Section 108 of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS'), registered at Police Station Mohkampura, Police Commissionerate, Amritsar.

2. Vide order dated 27.12.2024, passed by this Court, the petitioners were granted interim bail and were directed to join investigation. Order dated 27.12.2025, passed by this Court, reads as under:

“Apprehending their arrest in FIR No. 74 dated 02.10.2024 registered for offences punishable under Section 108 of BNS at Police Station Mohkampura, Police Commissionerate Amritsar; the petitioners



have preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter-alia contends that the real cause of the deceased committing suicide was on account of a business dispute, the petitioners are aged 71 years, 67 years and 64 years respectively, the offence of Section 108 of BNS (earlier Section 306 of IPC) is not made out against the petitioners in the factual matrix of the lis & the petitioners are willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioners has relied upon the dicta of the judgment of the Hon'ble Supreme Court in Nipun Aneja Versus State of Uttar Pradesh, 2024(4)RCR (Criminal) 753'.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Ankur Jain, Advocate appears and files vakalatnama for the complainant. The same be taken on record.

Adjourned to 10.02.2025.

The petitioners are directed to appear before the Investigating Officer on 30.12.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.



To be heard along with CRM-M-63300 of 2024.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioners have joined investigation on 30.12.2024 and they are not required for custodial interrogation. It is also submitted by her a cancellation report has been prepared in the matter and the same is pending consideration before the Police authorities.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 27.12.2024, granting interim bail to the petitioners, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

20.02.2025
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(MANISHA BATRA)
JUDGE

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