



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.17159 of 2026
Date of decision : 18.5.2026
Date of uploading : 19.5.2026

Balkar SinghPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rishu Garg, Advocate, for the petitioner
Mr. Jaypreet Singh, DAG, Punjab
Mr. Puneet Sharma, Advocate, for the complainant

SUMEET GOEL, J. (ORAL)

1. On 30.3.2026, the following order was passed:

'Apprehending his arrest in FIR No.51 dated 25.02.2026, registered for offences punishable under Sections 108, 3(5) of the BNS, 2023 (corresponding Sections 306, 34 of IPC), at Police Station Bhikhi, District Mansa; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail. Inter alia contends that the petitioner is father-in-law of the deceased, the FIR in question, essentially, emanates from matrimonial wrangling; the offence under Section 108 of BNS (erstwhile Section 306 of IPC) is not made out from the factual matrix of the case in hand; no effective recovery is to be made from the petitioner; & the petitioner is willing to join investigation and cooperate therein as per law. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments of the Hon'ble Supreme Court in Mohit Singhal & Anr. Vs. The Singhal & Anr. Vs. The State of Uttarkhand & Ors., 2024 (1) SCC 417 State of Uttarkhand & Ors., 2024 (1) SCC 417 and Abhinav Mohan



Delkar Vs. The State of Maharashtra and others, 2025 AIR SC 3823.

Notice of motion.

On the strength of advance service of copy of petition, Mr. Hemant Aggarwal, DAG Punjab causes appearance and accepts notice on behalf of the respondent – State of Punjab.

At this juncture, Mr. Puneet Sharma, Advocate causes appearance on behalf of the complainant

Put up on 28.4.2026.

To be heard along with CRM-M No.15321-2026.

The petitioner is directed to appear before the Investigating Officer on 4.4.2026 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/ surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.'

2. Learned State counsel (on instructions) submits that pursuant to the order dated 30.3.2026, the petitioner has joined investigation and is not required for further custodial interrogation.

3. Learned counsel for the complainant has vehemently opposed the anticipatory bail of the petitioner by arguing that there are direct and serious allegations against the petitioner and in case he has extended the concession of anticipatory bail, there is all the likelihood that he may flee from the hands of justice and may influence the prosecution witnesses/evidence.

4. Having heard learned counsel for the parties and upon perusal of the record, especially keeping in view the factum that the petitioner has joined investigation and his custodial interrogation is not sought by the State; this Court is inclined to confirm the order dated 30.3.2026.



5. In view of the above, the instant petition is allowed. The interim order dated 30.3.2026, passed by this Court is hereby confirmed, subject to the conditions as enumerated under Section 482(2) of BNSS.
6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

18.5.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No