



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

214

Decided on : 24.07.2025

1. CRM-M-31983-2025  
ANUPAM GARG . . . PETITIONER

VERSUS

STATE OF PUNJAB . . . RESPONDENT

2. CRM-M-32555-2025  
UMESH GARG . . . PETITIONER

VERSUS

STATE OF PUNJAB . . . RESPONDENT

3. CRM-M-33222-2025  
RAM DAYAL GARG . . . PETITIONER

VERSUS

STATE OF PUNJAB . . . RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. Aditya Sanghi, ADvocate and  
Mr. Saurabh Sharma, Advocate,  
for the petitioner(s) (in CRM-M-31983-2025).

Mr. Gautam Dutt, Advocate and  
Mr. Ankur Mehta, Advocate  
for the petitioner(s) (in CRM-M-32555-2025).

Mr. Jaiveer Singh, Advocate  
for the petitioner(s) (in CRM-M-33222-2025).

Mr. Manjinder S. Bhullar, DAG, Punjab.

Mr. Anurag Chopra, Advocate and  
Mr. Nikhil Deora, Advocate, for the complainant.

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**SANJAY VASHISTH, J (ORAL)**

1. This order shall dispose of CRM-M-31983-2025, CRM-M-32555-2025 and CRM-M-33222-2025, as all these petitions are



interconnected and have arisen out of same FIR. However, the lead case is CRM-M-31983-2025.

2. Prayer in these petitions, filed under Section 482 of BNS, 2023 (corresponding to Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner(s), who have been booked for having committed the offences punishable under Section 108 of BNS, 2023, in a case arising out of FIR No.50, dated 07.04.2025, registered at Police Station City-II, Abohar, District Fazilka.

3. While hearing all three petitions on 10.06.2025, 16.06.2025 and 24.06.2025, respectively, following orders were passed by this Court:-

**“CRM-M-31983-2025**

*Contends, inter alia, that there is no allegation that petitioner instigated and/or abetted the deceased to commit suicide; or that there was no other option left with the deceased, except to take such a drastic step.*

*Notice of motion.*

*Mr. Prit Inder Pal Singh, learned Addl. A.G., Punjab accepts notice on behalf of the respondent; seeks time to have instructions and/or to file written response in the matter.*

*Posted for 24.07.2025.*

*In the meanwhile, petitioner shall join investigation before the Investigating Officer; but she be not arrested till the next date of hearing.*

*To be heard along with CRM-M-21959-2025.*

**CRM-M-32555-2025**

*Petitioner prays for the grant of pre-arrest bail in a criminal case arising from FIR No.50 dated 07.04.2025 registered under Section 108 of BNS, 2023 at Police Station City II, Abohar, District Fazilka.*

*Learned counsel representing the petitioner relies upon an order dated 10.06.2025 passed in CRM-M-31983-2025.*

*Notice of motion.*

*Mr. Salil Sablok, Sr. DAG, Punjab and Mr. Anurag Chopra, Advocate, accept notice on behalf of the State and the first informant, respectively.*

*List alongwith CRM-M-31983-2025 on 24.07.2025.*



*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 482(2) BNSS, 2023.*

**CRM-M-33222-2025**

1. *Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-*

<b>Name &amp; age of Petitioner (s)</b>	<b>FIR No.</b>	<b>Date</b>	<b>Section(s)</b>	<b>Police Station</b>	<b>District</b>
<b>Ram Dayal Garg</b>	<b>50</b>	<b>07.04.2025</b>	<b>108 of BNS</b>	<b>City-II, Abohar</b>	<b>Fazilka</b>

2. *Mr. P.S. Ahluwalia, Advocate, appearing on behalf of the petitioner, contends that on a bare reading of the FIR, it cannot be alleged that the petitioner is responsible for compelling the deceased, Amarjit Singh @ Amar Singh, to commit suicide, as neither direct nor indirect instigation has been alleged.*

*Counsel further submits that the deceased and his sons were business partners of the petitioner and his family members. Due to a business dispute, the matter was referred to an arbitrator, and a consent award was passed. The son of the deceased, Harinder, filed objections under Section 34 of the Arbitration and Conciliation Act, which were dismissed. An appeal, i.e., FAO No.466 of 2021, is pending before this Hon'ble Court (Punjab and Haryana High Court at Chandigarh). It is thus submitted that the deceased and his sons had actually lost the litigation, and any distress caused to them cannot be attributed to the petitioner or his family members.*

*Additionally, it is argued that similarly situated co-accused, namely Anupam Garg and Umesh Garg, have been granted the concession of interim anticipatory bail by a Coordinate Bench of this Court vide orders dated 10.06.2025 and 16.06.2025 passed in CRM-M-31983-2025 and CRM-M-32555-2025 respectively. The aforesaid cases are now fixed for hearing on 24.07.2025. Counsel submits that the petitioner is ready and willing to join the investigation, and accordingly prays for grant of anticipatory bail.*

3. *Notice of Motion.*

*On advance notice, Mr. Manjinder Singh Bhullar, learned Deputy Advocate General, Punjab, appears on behalf of the respondent-State.*

4. *Mr. Anurag Chopra, learned counsel appearing on behalf of the complainant through video conferencing, by reading out the version of*



*the FIR, contends that it is the petitioner who is primarily responsible for instigating the deceased to commit suicide. Counsel further submits that rights in the disputed property were transferred by the family members, including the petitioner.*

5. *I have heard the submissions and, prima facie, it appears that based on the submissions made by the complainant's counsel, the petitioner is not required to be subjected to custodial interrogation.*

6. *Adjourned to 24.07.2025*

7. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

*It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.*

9. *To be heard alongwith CRM-M-31983-2025 and CRM-M-32555-2025.”*

4. Learned counsel for the petitioner(s) further contend that in compliance of the orders dated 10.06.2025, 16.06.2025 and 24.06.2025, respectively, passed by this Court, the petitioner(s) have already joined the investigation and are ready to co-operate with investigation agency, as and when same is required again.

Thus, custodial interrogation of the petitioner(s) would not serve any purpose to the prosecution and therefore, seeks confirmation of the interim bails.

5. On the other hand, learned State counsel, also confirms the said statement of joining the investigation and thus, submits that the



custodial interrogation of the petitioners is not required, at this stage, for the purpose of investigation.

6. At this stage, learned counsel appearing on behalf of the complainant(s) vehemently opposes the prayer for bail to the petitioner(s) and submits that there was constant pressure upon the deceased and a recurring cause had also arisen for him to take such a drastic step, due to the continuous harassment allegedly inflicted at the instance of the accused-petitioner(s).

7. The relevant issue as to whether there was any grave or direct instigation has already been examined in detail, in the order dated 24.06.2025 (passed in CRM-M-33222-2025), and even today, nothing has been brought on record by the counsel to demonstrate how, there was continued instigation on the part of any of the accused-petitioner(s), either jointly or individually, that could have compelled the deceased to take such an extreme step.

8. Taking into consideration that petitioner(s) have joint investigation and their custodial interrogation is not even asked for, and also that the element of instigation is a matter to be adjudicated by the learned Trial Court, upon appreciation of evidence during the course of trial. I find no cogent ground, at this stage, to justify the incarceration or custodial interrogation of the petitioner(s).

9. Thus, in view of the above, present petitions are **allowed** and the ad-interim orders dated 10.06.2025, 16.06.2025 and 24.06.2025, respectively, are hereby made absolute.



However, the petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 482(2) of BNSS, 2023

10. Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit affidavits, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

11. Petitions stand **disposed of** accordingly.

Photocopy of this order be placed on the files of other connected cases.

July 24, 2025

*J.Ram*

(SANJAY VASHISTH)  
JUDGE

*Whether speaking/reasoned*

√ Yes/~~No~~

*Whether reportable*

√ Yes/~~No~~