



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103

CRM-M-4627-2025

DATE OF DECISION: 28.01.2025

GURPREET SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sunil Kumar, Advocate for the petitioner(s).
Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Relief Sought**

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.57 dated 19.04.2024 registered under Sections 447, 379, 380 and 120-B IPC at P.S. Passiana, District Patiala.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘At this time, it has been entered that one Complaint Number 2809/Peshi dated 06.04.2024 from Manpreet Kaur wife of Late Balwinder Singh, resident of Village Bhanra, Police Station: Pasyana, District Patiala, Mobile Number 97803-20005 along with the annexed documents has been received through Hon'ble Senior Superintendent of Police, Patiala, after enquiry by Hon'ble S.P. City, Patiala, for registration of a case against Jarnail Singh son of Jang Singh, resident of Village Bathoyee, Lakhvir Singh son of Partap Singh, resident of Village Karhali, Rajpal Kaur alias Ramandeep Kaur wife of Lakhvir Singh, resident of Village Karhali, District Patiala, Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur and Gurpreet Singh son of Tara Singh,



resident of Village Wazidpur, District Patiala, for the offence under Sections 447, 379, 380, 120-B I.P.C. through Post/ Dak from the DPO Office, Patiala, the contents of which are as under :- To Hon'ble S.S.P. Sahib, Patiala. Subject: Complaint against Jarnail Singh son of Jang Singh, resident of Village Bathoyee, Lakhvir Singh son of Partap Singh, resident of Village Karhali, Rajpal Kaur alias Ramandeep Kaur wife of Lakhvir Singh, resident of Village Karhali, District Patiala, Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur and Gurpreet Singh son of Tara Singh, resident of Village Wazidpur, District Patiala, by colluding with each other, causing unauthorized harassment to me and for harvesting the Paddy crop forcibly earlier sown by me in the land in my share and possession and now they are preparing for harvesting the Wheat crop forcibly and openly threatening to kill me. Sir, It is humbly submitted that :- (1) That I Manpreet Kaur, Aadhaar Card Number 724703193325 wife/ widow of Late Balwinder Singh son of Shri Gurbakhsh Singh, am a resident of Village Bhanra, Tehsil and District Patiala. (2) That my marriage was solemnized in the year 2010 with Late Balwinder Singh son of Shri Gurbakhsh Singh, resident of Village Bhanra, Tehsil and District Patiala, as per Sikh rites and customs/ rituals with the consent of both the families. After the marriage, we both continued to live as husband and wife and during this period, our two children were born, out of which one is boy and one is girl. (3) That my husband was addicted to alcohol, Due to which he started falling ill and due the illness, my husband has died on dated 31.08.2023. My in-laws' family, with the intention of usurping the land to be received by me in inheritance, by putting up a picket ('Dharna') on the road, they have got registered a case F.I.R. Number 147 dated 01.09.2023 under Sections 306, 34 I.P.C. at Police Station Pasyana, District Patiala against myself, my mother Jarnail Karu and my brother Kulwinder Singh, due to which, being compelled, I have to leave my in-laws' house, whereas after completion of its enquiry, this case has been cancelled. (4) That under the cover of this case, in my absence, Jarnail Singh, Gurpreet Singh and Lakhvir Singh and their companions by harvesting the Paddy crop during night with the Combines which was cultivated by us in my 62 Bighas land, stole the same and took away in their Tractor-Trolleys, regarding which legal action may kindly be taken against them. Besides this, I have to receive Rupees 06.00 Lakhs from Jarnail Singh, which may kindly be got paid/returned to me. (5) Now they are prepared to harvest the Wheat crop forcibly, which has been cultivated/ sown by my Uncle (mother's brother - 'Maama') - Avtar Singh, resident of



Village Pedhan, Tehsil and District Patiala on my behalf and they are threatening to kill me. Whenever I go to my fields to make a round, then they come there by bringing along the deadly/ lethal weapons and threaten to kill me, who can cause loss to my life and my property, I have been apprehending danger from them. If in future any harm/ loss is caused to me, then the said persons would be responsible. (6) Here, it is also worth mentioning that son Ghandeep Singh, aged 12 years, has been forcibly kept by Jarnail Singh with him, I suspect/apprehend that in the greed/ voracity of land, they can harm to the life of my son also, because they are instigating him against me, whereas they are having no right to do so, my son is required to be handed over to me, upon which I am having the right, neither any person except me can look after and bring up him in a correct/ right manner nor any other person can think about his benefit except me. In this illegal/ illicit work, Gurpiar Singh and Karam Singh are openly assisting him/them. (7) That now, when after cancellation of the case, I came to my house, then I saw that in my absence, my three sisters-in-law (husband's sisters - 'Nannans') have stolen from the big Iron Box ('Petti') and Almirah, which contained the valuable gold jewellery of 25 Tolas, Rupees One Lakh in cash (out of which Rs.40,000/- belonged to the Farmers Organization and Rupees 60,000/- were kept for household expenses), clothes and taken away by them, whereas all these articles were mine, which is required to be investigated/enquired. In this theft, my three sisters-in-law (husband's sisters 'Nannans') and their husbands also have been involved/ engrossed. After stealing the jewellery, they have locked my Store, by getting opened the same, the articles may be got recovered and the same may kindly be delivered/handed over to me. (8) That the afore-mentioned persons by mutual consultation, by recording false and wrong statements and by picketing ('Dharna') have firstly got registered a false case against myself and my brother so that they can take possession over my land forcibly. That after the death of my husband, they, instead of extending sympathy with me, they started hatching schemes to take possession over my land and they, after mutual consultations, got registered this false case against us and after conducting the enquiry therein, the entire truth came to light. (9) That the afore-mentioned accused are openly threatening me that if you lived at our Village Bhanra, then we will kill/ eliminate you, whereas I have been living in the house having share and possession of my husband, upon which myself and my children are having their right. (10) That I am a peace loving and law abiding woman, whereas the afore-mentioned persons are quarrelsome, cunning/ vicious and greedy type persons. That for stealing by harvesting our



cultivated Paddy crop, trying to take unauthorized possession over our land and threatening to kill us, action be taken as per Law against the aforementioned persons, they may be stopped to enter/ interfere in our land and myself and my children be granted justice. Thanking you, Dated: 01.04.2024, Yours faithfully, sd/- Manpreet Kaur (Marpreet Kaur), wife/ widow of late Balwinder Singh, resident of Village Bhanra, Tehsil and District Patiala, Phone Numbers: 97803-20005, 98720-55205. On receipt of the Complaint, Hon'ble Senior Superintendent of Police, by getting it numbered 2809/Peshi dated 06.04.2024, marked the same for further enquiry to Hon'ble Superintendent of Police, Patiala, who by getting it numbered as 446/C/SP/CITY dated 08.04.2024 and after conducting enquiry and preparing his Report, sent the same to the Hon'ble Senior Superintendent of Police, Patiala, the contents of which are as under: From: Superintendent of Police, City, Patiala, To: The Senior Superintendent of Police, Patiala, Number: 446/C/SP CITY/PTL, dated 18.04.2024. Subject: Report regarding Complaint from Manpreet Kaur wife/ widow of late Balwinder Singh, resident of Village Bhanra, Tehsil and District Patiala. Sir, It is respectfully submitted that the annexed Complaint bearing Number 2809.Peshi dated 06.04.2024 from Manpreet Kaur aforementioned has been received from your Office for conducting enquiry. The Complainant Manpreet Kaur, in his Complaint, has mentioned/ written that her sisters-in-law (husband's sisters 'Nannans') Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Ramandeep Kaur wife of Lakhvir Singh, Lakhvir Singh, residents of Village Karhali, Lovepreet Kaur wife of Gurpreet Singh, Gurpreet Singh sn of Tara Singh, residents of Village Wazidpur, Police Station: Sadar, Nabha and Jarnail Singh son of Jang Singh, resident of Village Bathoyee, after the death of her husband Balwinder Singh, by putting his dead body on the road and by picketing ('Dharna'), got registered a false case F.I.R. Number 147/23 U/S 306 I.P.C. at Police Station: Pasyana against herself, her brother - Kulwinder Singh and her mother - Jarnail Kaur and later on took the 63 Bighas land of the share of her husband Balwinder Singh on contract (lease) and stole Paddy crop sown in 20 Bighas land without her consent with the intention to make possession over his land and her sisters-in-law (husband's sisters 'Nannans') stole her gold jewellery and her other articles and vehicles lying in the house. Regarding the enquiry of the complaint, the Complainant Manpreet Kaur, in her favour Nachhattar Singh son of Jarnail Singh, Sukhchain Singh son of Labh Singh and Kulwinder Singh son of Jagdish Singh, residents of Village Bhanra, by joining the enquiry, got recorded their respective statement. From Second Party Jarnail Singh son



of Jang Singh, resident of Village Bathoyee, Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Gurpreet Singh son of Tara Singh, resident of Village Wazidpur, Police Station: Sadar, Nabha, District Patiala by joining the enquiry, got recorded their respective statements and Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur got recorded his statement and verification of his statement was made by his sister Rajpal Kaur alias Ramandeep Kaur wife of Lakhvir Singh, resident of Karhali Sahib. That these statements are annexed herewith for perusal. From the secret and open enquiry conducted by me, perusal of related statements and annexed documents, the following fact shave come to light: (1) The marriage of the Complainant - Manpreet Kaur was solemnized with Balwinder Singh son of Gurbakhsh Singh, resident of Village Bhanra in the year 2010. From this marriage, they are having one elder son Ghandeep Singh aged about 13 years and younger daughter Sukhwinder Kaur, aged about 1-0 years. (2) As per the statement of Complainant Manpreet Kaur, her husband Balwinder Singh was a Member of the Farmers Organizations and was taking active part in the activities of the Farmers Organizations. After victory of Sanyukat Kisan Morcha at Delhi, a programme was arranged at their Motor in the fields. During this programme, due to fall of her husband Balwinder Singh, he suffered an injury on the back of his head due to which Balwinder Singh remained admitted for 5/6 days in the Hospital of Doctor Puneet Phul and was treated there. Due to suffering of injury on the head, her husband Balwinder Singh started living in depression and started drinking alcohol/ liquor heavily. Due to excess consumption of alcohol/liquor by Balwinder Singh, he suffered from the infection of liver and belly/ stomach, who has been getting medicines from different Hospitals from time to time. (3) As per the statement of the Complainant - Manpreet Kaur, on dated 31.08.2023, at about 04.00 a.m. (morning) firstly he drank liquor and then went to offer feed etc. to the animals. Then at about 06.30 a.m., Balwinder Singh by calling over phone Complainant -Manpreet Kaur's Uncle (mother's brother 'Maama') - Avtar Singh, resident of Village Pedan, Police Station: Bhadson, asked him that he is not feeling well, he may be admitted in the Hospital. Therafater, Balwinder singh, by bolting his room, went to sleep. At about 10.00 a.m., when the Complainant went to give meals to Balwinder Singh and knocked the door, then no sound came from inside. When he raised a noise, then on hearing her voice, few persons going from the outside street came inside the house and broke the latches of the door, then they saw that her husband Balwinder Singh was lying unconscious on the bed. (4) With the help of those persons, the Complainant Manpreet Kaur took her husband



Balwinder Singh to Sadbhavna Hospital, Patiala, who on the way, by calling over phone Sukhwinder Singh son of her Uncle ('Maama') Balwinder Singh regarding the incident. On the gate of Sadbhavna Hospital, itself, the Doctor declared Balwinder Singh as dead. In the meantime, Complainant's brother Kulwinder Singh and Sukhwinder Singh son of Avtar Singh also came at the spot. (5) Regarding the death of Balwinder Singh husband of the Complainant - Manpreet Kaur, her Uncle ('Maama') - Avtar Singh disclosed over phone to Balwinder Singh's relatives Jarnail Singh son of Jang Singh, resident of Village Bathoyee and Uncle (father's sister's husband 'Phuphad') - Baljeet Singh resident of Prem Singh Wala, on the asking of whom, Manpreet Kaur etc. brought Balwinder Singh to Village Bhanra. (6) When Complainant -Manpreet Kaur etc. reached Village Bhanra, then sisters of Balwinder Singh - Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Ramandeep Kaur wife of Lakhvir Singh, resident of Village Karhali and Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur, started stating that we want to know about the death of our brother as to how he had died, due to which they brought the dead body of Balwinder Singh at Rajindera Hospital, Patiala. (7) At Rajindera Hospital, Patiala, A.S.I. Nirmla Singh, Chowki: Dakala, on the statement of Complainant's Manpreet Kaur's sister-in-law ('Nannan') Ramandeep Kaur, proceedings under Sections 174 Cr.P.C. were conducted. At that time, Ramandeep kaur in her statement has recorded that "On dated 31.08.23, her sister-in-law (brother's wife - 'Bharjayee') - had told her over phone that her brother Balwinder Singh is not opening the latches of the room. When she reached the house of her brother, then when she opened the door of the room, she saw that her brother had hanged himself from the fan, who was brought down with the help of her husband. That this incident had taken place due to remaining disturbed/distressed/ perturbed by Balwinder Singh." (8) After completion of proceedings under Section 174 Cr.P.C. and conducting of post-mortem of Balwinder Singh, his dead body was handed over to his family on 01.09.23 for cremation. When Manpreet Kaur, her sisters-in-law ('Nannans') Charanjeet Kaur, Ramandeep Kaur, Lovepreet Kaur, along with their husbands - Gurpreet Singh and Lakhvir Singh and Jarnail Singh son of Jang Singh afore-mentioned etc. reached Village Bhanra, then by keeping the dead body of Balwinder Singh on the road, they put up a picket ('Dharna') by raising the demand of registration of a case against Manpreet Kaur and her family members. (9) Complainant's sister-in-law ('Nannan') Charanjeet Kaur wife of Karamjeet Singh by recording the statement, got registered one Case F.I.R. Number 147 dated 01.09.2023



under Section 306 I.P.C. at Police Station: Pasyana. Charanjeet Kaur at the time of registration of the case, got recorded in her statement that when after opening the door by going to the house, then he saw that her brother was lying dead on the bed, whose death had taken place due to Manpreet Kaur, her brother Kulwinder Singh and mother Jarnail Kaur. That this statement of Charanjeet Kaur does not match/ tally at all with her statement recorded during the proceedings under Section 174 Cr.P.C. (10) Due to registration of the case, Complainant Manpreet Kaur had to leave her house at that time and at that time, both of her children were with her in-laws' family. Later on, her family members brought Sukhwinder Kaur, girl with them and the son - Ghandeep Singh was left with her in-laws' family for conducting the last rites of Balwinder Singh. (11) Complainant Manpreet Kaur's husband Balwinder Singh was having his 63 Bighas land and Balwinder Singh has taken 20 Bighas land on contract/ lease from Karam Singh of his village. At the time of death of Balwinder Singh, Paddy crop was sown/ cultivated in the said entire land. Farad Jamabandis of this land for the year 2019-20 are being annexed herewith as Appendix 'A' (4 pages) for kind perusal. (12) During the enquiry, it has been found that Complainant's sisters-in-law ('Nannans') Charanjeet Kaur, Ramandeep Kaur, Lovepreet Kaur, along with their husbands Gurpreet Singh and Lakhvir Singh and Jarnail Singh son of Jang Singh afore-mentioned, took possession of the land of Complainant's husband Balwinder Singh and during night, Complainant's sisters-in-law ('Nannans') along with their husbands Gurpreet Singh and Lakhvir Singh and Jarnail Singh etc. afore-mentioned harvested the Paddy crop cultivated/harvested on the land measuring 83 Bighas of Balwinder Singh and stole and took away the same on their Tractor-Trolleys. That this fact has been admitted by Charanjeet Kaur, Lovepreet Kaur and Ramandeep Kaur in their statement themselves and this fact has also been confirmed by the statements of witnesses at the spot presented by Complainant - Manpreet Kaur, viz. Nachhattar Singh, Sukhchain Singh and Kul Billar Singh. (13) During enquiry, it has been found that in Complainant's husband's name, there were Scootery Number PB-11-CE-7470, Preet Tractor bearing Number PB-11BX-6762, Car SWIFT bearing Number PB-11-BX-9800, one Generator, Trolley, Machine for sowing Wheat crop etc., which have been stolen and taken away from her house by Complainant's sisters-in-law Charanjeet Kaur, Ramandeep Kaur, Lovepreet Kaur, their husbands Gurpreet Singh, Lakhvir Singh and Jarnail Singh son of Jang Singh afore-mentioned. That as per the statement of Jarnail Singh of the second Party, the afore-mentioned Preet Tractor, SWIFT Car, Trolley, Rotavetar are still in his possession. That regarding



the afore- mentioned vehicles being in the name of Complainant's husband, Photostat copies of Form Number 24 are annexed herewith as Appendix - 'B' (3 pages) for kind perusal. (14) That as per the statements of Charanjeet Kaur, Lovepreet Kaur, Ramandeep Kaur and Gurpreet Singh of the Second Party, in the absence of Manpreet Kaur, they have continued to come and stay turn by turn in the house of her in-laws. That as per the statement of Complainant Manpreet Kaur, when she now went to her-in-laws' house then she saw that the L.C.D. lying in her house was missing/ disappeared/ vanished and the her gold jewellery weighing approximately 45 Tolas and Rupees One Lakh in cash and were lying. That her sisters-in-law ('Nanams') have gone after locking the Store, which has been locked till today. In this regard when Charanjeet Kaur, Ramandeep Kaur and Lovepreet Kaur of the Second Party were asked, then they could not submit any satisfactory reply, due to which stealing of L.C.D., Complainant's gold jewellery weighing approximately 45 Tolas and Rupees One Lakh in cash lying in the Store by them has been clearly proved. (15) It is worth mentioning here that in the afore-stated case registered against the Complainant Manpreet Kaur, her brother Kulwinder Singh and mother Jarnail Singh, regarding the proceedings conducted by the Doctors in respect of Viscera Report, in the Doctor's opinion, it has been written that, "After receiving the chemical examiner Report vide 3890 dated 26.10.23 received on 30.12.23 showing no poison detected in content of exhibit 1, 2, 3 and 4 and Histopathology Report vide No. 149023 dated 30.12.23 examined by Dr. Shabdeep Kaur, Sr. Pathology of G.M.C., Patiala and post-mortem report the cause of death in this case is due to diseased condition of Heart, Lungs, Kidney and Liver." (16) That in the afore-stated case, regarding registration of a case wrongly against the Complainant and her family members, her Uncle (mother's brother 'Maama') Avtar Singh has submitted an Application regarding their innocence, the enquiry of which was conducted by the Superintendent of Police (Operation), Patiala, and after recommending for the Cancellation Report, the Enquiry Report was submitted, which has since been approved and in the said case, the Cancellation Report has since been submitted on dated 15.01.24. That from the afore-mentioned all the circumstances, it is clear that Jarnail Singh son of Jang Singh, resident of Village Bathoyee, Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Gurpreet Singh son of Tara Singh, resident of Village Wazidpur, Police Station: Sadar, Nabha, District Patiala, Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur, Rajpal Kaur alias Ramandeep Kaur wife of Lakhvir Singh and Lakhvir Singh, residents of Karhali Sahib after



the death of their brother - Balwinder Singh, with an intention to take possession of his land, have got registered the afore-stated false case by putting pressure upon the local Police against the Complainant Manpreet Kaur, her brother Kulwinder Singh and mother Jarnail Kaur. That from the Viscera Report and Doctor's opinion also, the registration of the said false case has been proved. After registering the case, the afore-stated persons have harvested and stolen during night the Paddy crop sown/ cultivated by Complainant's husband Balwinder Singh and also took possession of the land. As per the disclosure of the Complainant Party, now, Jarnail Singh etc. have sown the Wheat crop in her entire land. Besides this the Scootery Number PB-11-CE-7470, Preet Tractor bearing Number PB-11BX-6762, Car SWIFT bearing Number PB-11-BX-9800, one Generator, Trolley, Machine for sowing Wheat crop etc. in the name of Complainant Manpreet Kaur's husband Balwinder Singh and L.C.D. and approximately 45 Tolas Gold have also been stolen and taken away by the afore-mentioned persons from her house, who by doing so, have committed the offence under Sections 447, 379, 380, 120-B I.P.C. against whom, after registering the case, investigation is required to be conducted. If the Report is approved, then for registering a case against the afore-stated person for the afore-mentioned offences, appropriate/ suitable Order be issued to the Station House Officer, Police Station: Pasyana. Report is submitted please. sd/- Superintendent of Police, City, Patiala. On receipt of the afore-stated Report, Hon'ble Senior Superintendent of Police, Patiala, by expressing his consent/ concurrence with the Report of Hon'ble S.P. City, Patiala, has written, "S.H.O., Passiana as per Report. Sd/ Senior Superintendent of Police, Patiala, on which on receipt of the afore-stated Complaint, after registering the afore-stated case for the afore-mentioned offences against Jarnail Singh son of Jang Singh, resident of Village Bathoyee, Lakhvir Singh son of Partap Singh, resident of Village Karhali, Rajpal Kaur alias Ramandeep Kaur wife of Lakhvir Singh, resident of Village Karhali, District: Patiala, Charanjeet Kaur wife of Karamjeet Singh, resident of Village Dudhad, Lovepreet Kaur wife of Gurpreet Singh, resident of Village Wazidpur, and Gurpreet Singh son of Tara Singh, resident of Village Wazidpur, District Patiala, the record was completed. Copies of the F.I.Rs. as Special Reports are being sent to the Area ('Illaqa') Magistrate Sahib by Dak through S.C. Palwinder Singh 857/PTL. Incharge, Control Room, Patiala is being intimated through E-mail. The original Complaint along with the documents along with a copy of the F.I.R. are being sent for further investigation to the A.S.I. Gurwinder Singh 3173/ PTL, Incharge Chowki,



*Dakala through Dak/Post. Closure Report Number 23, dated 19.04.2024,
Police Station: Passiana.'*

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and false allegations of theft and trespass has been levelled against him. He submits that the present FIR is nothing but a counter-blast to the FIR No. 147 dated 01.09.2023 registered under Sections 306 and 34 IPC at P.S. Passiana, District Patiala which was registered against the complainant. He further submits that the dispute involved in the present case emanates out of a family discord. He points out that similarly situated co-accused namely Jarnail Singh has also been granted concession of anticipatory bail vide order dated 28.08.2024 passed in CRM-M-41480-2024, moreso, antecedents of the petitioner are clean as he is not involved in any other case, therefore, prays for grant of anticipatory bail to the petitioner.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating Officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner along with other co-accused harvested the crop belonging to the complainant and also committed theft of gold, cash, vehicles and other articles of the complainant.

4. Analysis

Be that as it may, after having given a thoughtful



consideration to the submissions as made, by the counsel for both the parties, especially to the effect that the dispute involved in the present case emanates out of a family discord, other co-accused have also been granted concession of anticipatory bail and the present FIR is a counter-blast to the FIR No. 147 dated 01.09.2023 registered under Sections 306 and 34 IPC at P.S. Passiana, District Patiala against the complainant, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Decision**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

28.01.2025
anuradha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No