



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-27909-2024
Date of decision: September 18th, 2024

Balraj Singh alias Balraj Singh Dhillon and another
.....Petitioners

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Diljinder Singh, Advocate
for Mr. Amaninder Singh Sekhon, Advocate
for the petitioners.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.34 dated 24.04.2024 under Sections 365/323/34 of the Indian Penal Code, 1860, registered at Police Station Bajakhana, District Faridkot.

2. Learned counsel for the petitioners contends that they have been falsely implicated in the case in hand for allegedly giving beatings to the complainant with *dandas* after locking him in their house. While drawing the attention of this Court to FIR annexed as Annexure P-1, learned counsel submits that a bare perusal of the same reveals that the only non-bailable offence pertains to Section 365 of the IPC, the essential ingredients of which are conspicuously absent in the present case.

3. Learned counsel further argues that their false implication is evident from the fact that petitioner No.1 is a 67 year old man, who is unable to move and walk properly, making it implausible that he could



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have inflicted injuries upon the complainant. Learned counsel still further submits that the instant FIR was only a counterblast to the application given by petitioner No.1 to the police against the complainant prior to the occurrence in question. In support, he has placed reliance upon Annexure P-3. It has still further been submitted that in compliance of the order dated 29.05.2024 passed by this Court, the petitioners have joined investigation and cooperated with the investigating agency and, therefore, in these circumstances, their custodial interrogation would serve no useful purpose.

4. *Per contra*, learned State counsel, on instructions, has not disputed the factum of petitioners having joined investigation and cooperated with the investigating agency.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. As not disputed by the learned State counsel, in compliance of order dated 29.05.2024 passed by this Court, the petitioners have joined investigating and cooperated with the investigating agency.

7. In view of the above, the petition is allowed and interim order dated 29.05.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 18th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No