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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-30003-2024 (O&M)
Date of Decision:- 23.08.2024

BALJEET SHARMA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. J.S. Sekhon, Advocate for the petitioner.

Mr. Japjot Singh, AAG Punjab.

Mr. Parveen Chauhan, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 CrPC
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
24	23.04.2024	452, 341, 323, 447, 506 and 34 IPC	Kheri Gandiya, District Patiala

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 18.06.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions received from ASI Sewa Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required



for further investigation.

4. Learned counsel for the complainant has opposed the petition on the ground that keeping in view the gravity of offence, the petitioner is not entitled to the concession of bail.

5. Heard.

6. During the course of hearing on 18.06.2024, the following order was passed:-

“Inter alia contends that in the present case, only Section 452 IPC is non-bailable and none of the injuries, which have been caused to Khem Singh, neighbour of the complainant, are grievous in nature. It is submitted that without admitting his liability and only to meet the medical expenses of the complainant Harish Rani and said Khem Singh, the petitioner is ready to pay Rs.10,000/- to the complainant and Rs.10,000/- to said Khem Singh.

Notice of motion for 23.08.2024.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his 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 438(2) Cr.P.C.

The petitioner is directed to prepare two demand drafts of an amount of Rs.10,000/- each in the name of the complainant Harish Rani and the said Khem Singh and hand over the same to the Investigating Officer within a period of two weeks from today and the Investigating Officer is directed to hand over the same to the complainant Harish Rani and the said Khem Singh within a period of ten days thereafter, after taking receipt from the complainant Harish Rani and the said Khem Singh.

It is made clear that in case the demand drafts of the said amount are not handed over to the Investigating Officer within a period two weeks from today, then the interim order granted is liable to be vacated. The payment of Rs.10,000/- each to the complainant Harish Rani and the said Khem Singh would not be construed as



an admission of guilt by the petitioner.”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 18.06.2024 passed by this Court, interim bail granted vide order dated 18.06.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

23.08.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |