



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-36952-2024 (O&M)
Date of Decision:- 27.08.2024

DAWINDER ALIAS DAVINDER ALIAS DEEPA
....Petitioner(s)
Versus
STATE OF PUNJAB
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Shubham Goyal, Advocate for the petitioner.
Mr. Japjot Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 BNSS, 2023
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
81	18.07.2023	323, 325, 148 and 149 IPC; (452 IPC added later on vide rapat No.48 dated 02.09.2023)	City Nakodar, District Jalandhar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 02.08.2024 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 SI Dilbag 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. Heard.

5. During the course of hearing on 02.08.2024, the following order was passed:-

“ 2.Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. He further contends that no specific overt act is attributed to the petitioner nor any specific injury has been attributed to him. He submits that originally the case was registered for offence under Section 323, 325, 148 and 149 of IPC vide FIR Annexure P-1 and the petitioner had joined the investigation but later the offence under Section 452 of IPC was added in the FIR just to make it non-bailable. He disputes the applicability of Section 452 IPC to the facts and circumstances of the case and submits that the petitioner is again ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and submits that as per the pairavi report, the petitioner has already joined investigation before invoking of Section 452 IPC in the FIR and has not disputed the factual matrix as stated by learned counsel for the petitioner. He submits that the petitioner was involved in one more case although acquitted later on.

5. Adjourned to 27.08.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

6. 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 02.08.2024 passed by this Court, interim bail granted vide order dated 02.08.2024 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

27.08.2024
S.Sharma(syr)

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