



CRM-M-37355 of 2024 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215 CRM-M-37355 of 2024
DATE OF DECISION :- 03.09.2024

Ramandeep Singh ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Ramandeep, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.
Mr. Lal Singh Sandhu, Advocate for respondent No. 2.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No. 68 dated 12.07.2024, registered for offences under Sections 354,323,506 of the IPC, at Ghagga, District Patiala.
2. On 05.08.2024, the following order was passed:-
Learned counsel for the petitioner has submitted that, on account of inadvertence, the complainant could not be arrayed as a party-respondent in the main petition. An oral request has been made by learned counsel in this regard. Keeping in view the totality of facts and circumstances of the case, complainant, namely, Manjit Kaur w/o Amandeep Singh, r/o Harbans Colony Samana, Tehsil Samana, District Patiala, is hereby impleaded as party-respondent No.2. Registry is directed to carry out the requisite correction in the memo of parties.



Apprehending his arrest in FIR No.68 dated 12.07.2024 registered for offences punishable under Sections 354, 323 and 506 of IPC at Police Station Ghagga, District Patiala; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia contends that the genesis of the FIR in question is a matrimonial dispute between the brother of the petitioner and the victim/complainant; a compromise (copy whereof has been appended as Annexure P-2 with the petition) was earlier arrived at between the brother of the petitioner and the victim but the same fizzled out later on; petitioner is willing to return all the dowry articles/istridhan in his possession to the complainant; petitioner is ready for an amicable settlement as well & petitioner is willing to join investigation and cooperate therein in accordance with law. In order to buttress his arguments, learned counsel for the petitioner has relied upon the dicta of the judgments rendered by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, 2014 AIR (SCW) 3930, and reiterated in Md. Asfak Alam Vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 03.09.2024.

The petitioner is directed to appear before the Investigating Officer on 09.08.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023."

3. Learned State counsel, on instructions from ASI Balwinder

Kumar, has stated that pursuant to the order dated 05.08.2024, the petitioner

has joined investigation and is no longer required for custodial interrogation.



CRM-M-37355 of 2024 **3**

4. Learned counsel for the complainant has vociferously opposed the grant of anticipatory bail by arguing that the allegations made against the petitioner are serious in nature and hence anticipatory bail ought not to be granted to the petitioner.
5. In view of above, the present petition stands allowed and the interim order dated 05.08.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.
6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

03.09.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No