



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M No.37587 of 2024
Date of decision: 13.09.2024

GAGANDEEP

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Hitesh Chopra, Advocate for the petitioner.
Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed by the petitioner seeks grant of anticipatory bail in case FIR No. 149, dated 06.06.2024, under Sections 323, 324, 506, 34, 326 of IPC at Police Station Civil Lines, Batala District Gurdaspur.
2. Vide order dated 05.08.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 05.08.2024, passed by this Court, reads as under:

“The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No. 149 dated 06.06.2024 registered under Sections 323, 324, 506, 34 and 326 IPC at Police Station Civil Lines, Batala, District Gurdaspur on the basis of statement recorded by the complainant Anil Kumar.

Counsel for the petitioner submits that the petitioner has been falsely implicated in the case, in fact it is a case of version and cross-version. Cross FIR has been lodged against the members of the complainant party. There is a delay of 03 days in reporting the



matter to the police station, which has not been explained. He further submits that his custodial interrogation is not required. He is ready to join the investigation.

Notice of motion for 13.09.2024.

On asking of the Court, Ms. Ruchika Sabherwal, Senior DAG, Punjab accepts notice on behalf of the respondent-State.

In the meantime, the petitioner is directed to appear before Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 09.08.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 05.08.2024 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Analogous to Section 438(2) of the Code of Criminal Procedure.

(MANISHA BATRA)
JUDGE

13.09.2024
Jyoti-IV

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No