



CRM-M-38148 of 2024 1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-38148 of 2024
DATE OF DECISION :- 10.09.2024**

Prem Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Ramaninder Singh Jagal, Advocate for
Mr. Harpreet Singh Multani, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. J.S. Chahal, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioners in FIR No. 50 dated 18.06.2024, registered for offences under Sections 323,341,506,354,354-B,509,120B of the IPC, at Police Station Banur, Patiala.

2. On 09.08.2024, the following order was passed:-

“Apprehending their arrest in FIR No.50 dated 18.06.2024 registered for offences punishable under Sections 323, 341, 506, 354, 354-B, 509 and 120-B of IPC at Police Station Banur, Patiala; the petitioners have preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Inter alia contends that petitioner No.1 is 63 years of age; there is a civil/property dispute subsisting between the petitioners and the complainant; aggravated allegations have been made against the petitioners so as to arm twist them for an amicable settlement in the civil/property dispute; there is an unexplained delay of three months in registration of the FIR & the petitioners are willing to join investigation and cooperate therein.



Notice of motion.

On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. Mr. Jagdeep Singh, Advocate and Mr. Saurav Bhatia, Advocate appear on behalf of the complainant.

Learned State counsel as also learned counsel for the complainant have vehemently opposed the instant petition by raising averments that the allegations made against the petitioners are serious in nature.

Adjourned to 10.09.2024.

The petitioners are directed to appear before the Investigating Officer on 14.08.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel, on instructions from Inspector Gursewak Singh has stated that pursuant to the order dated 09.08.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.

4. In view of above, the present petition stands allowed and the interim order dated 09.08.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS

5. This order should not be treated as “blanket” order. It will not be read granting petitioners 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.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violate any condition

