



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
214

CRM-M-38606-2024
Date of decision: 09.09.2024

YOGESHWAR KUMAR
V/s
STATE OF PUNJAB
....PETITIONER
....RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rahul Kumar Adia, Advocate
for the petitioner (Through VC).

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in case bearing FIR No.46 dated 03.06.2024, registered for the offences punishable under Sections 307, 452, 354-A(2), 506, 427, 148, 149 of IPC and Section 25 of Arms Act at Police Station Garhdiwala, District Hoshiarpur.

2. On 08.08.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 46 dated 03.06.2024 registered for offences punishable under Sections 307,452,354-A (2),506,427,148,149 IPC and Section 25 of the Arms Act at Police Station Garhdiwala, District Hoshiarpur; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that only kick blows have been attributed to the petitioner; the petitioner has been falsely implicated into the FIR in question on account of long standing dispute between the parties & the petitioner is willing to join investigation and cooperate therein. Notice of motion.

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

Adjourned to 09.09.2024.

The petitioner is directed to appear before the Investigating Officer on 13.08.2024 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 BNSS, 2023.”

3. Learned State counsel, on instructions from ASI Such Ram, has stated that pursuant to the order dated 08.08.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the present petition is allowed and interim order dated 08.08.2024, passed by this Court is made absolute, subject to the conditions as enumerated under Section Section 482 of BNSS.
5. 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.
6. 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 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

September 09, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No