

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

216

CRM-M-39688-2024

Date of decision: 09.09.2024

JALJEET KUMAR ALIAS DEEPA AND ORS.

....PETITIONERS

V/s

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Ms. Harpreet Kaur, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioners 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 Garhdiwal, District Hoshiarpur.

2. On 14.08.2024, the following order was passed:-

“Apprehending their arrest in FIR No.46 dated 3.6.2024, registered for offences punishable under Sections 307, 452, 354-A(2), 506, 427, 148 and 149 of IPC and Section 25 of Arms Act, 1959, at Police station Garhdiwala, District Hoshiarpur, the petitioners have preferred this petition under Section 482 of BNSS, 2023, seeking pre-arrest bail.

Learned counsel appearing for the petitioners seeks to withdraw the instant petition on behalf of petitioner no.1 with liberty to file afresh on the same cause of action after giving complete/better particulars. Ordered accordingly.

As regards, petitioners no.2 and 3, learned counsel for the petitioners has submitted that petitioner no.2 has been attributed a danda blow on the left foot of the complainant, whereas petitioner no.3 has been attributed only a kick blow; they have been falsely implicated in the instant FIR and they are willing to join investigation and cooperate therein.

Notice of motion.

At the asking of the Court, Mr. Adhiraj Singh Thind, AAG Punjab, accepts notice on behalf of the respondent/State of Punjab.

The petitioners are directed to appear before the Investigating Officer on 21.8.2024 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 the BNSS.

Put up on 9.9.2024.

To be heard alongwith CRM-M No.39825 of 2024.”

3. Learned State counsel, on instructions from ASI Dildar Singh, has stated that pursuant to the order dated 14.08.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.
4. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioners by arguing that the allegations made against the petitioners are serious in nature and hence he ought not to be extended the concession of anticipatory bail.
5. In view of above, the present petition is allowed and interim order dated 14.08.2024, passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS.
6. 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.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violates any condition stipulated under Section 482(2) 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.
9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

September 09, 2024
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No