

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

216/4

**CRM-M No.39817 of 2024
Date of decision : 9.9.2024**

Sumit Kumar @ Sumeet and another **....Petitioners**
Versus
State of Punjab **.....Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ajay Pal Singh Rehan, Advocate, for the petitioners

Mr. Anup Singh, AAG, Punjab

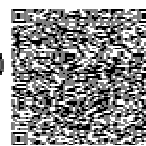
SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the petitioners in case FIR No.46 dated 3.6.2024, under Sections 307, 452, 354-A (2), 506, 427, 148 and 149 of IPC and Section 25 of the Arms Act, 1959, registered at Police Station Garhdiwala, District Hoshiarpur.

2. On 14.8.2024, 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.

Inter alia contends that the petitioners are young men, aged about 16 years and 17 years respectively; no specific role has been attributed to them; the petitioners have been falsely implicated in the FIR on account of



long standing dispute between the parties, and the petitioners 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.

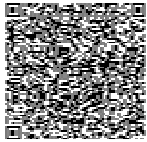
To be heard alongwith CRM-M No.39825 of 2024.'

3. Learned State counsel (on instructions) submits that pursuant to the order dated 14.8.2024, the petitioners have joined investigation and are no longer required for custodial interrogation

4. In view of the above, the interim order dated 14.8.2024, 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 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 petitioners violates any condition stipulated under Section 482(2) of BNSS, 2023 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.

9.9.2024
Ashwani

(SUMEET GOEL)
JUDGE

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