

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41275-2024
Date of decision:25.10.2024

ChandanPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Shubham Goyal, Advcoate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

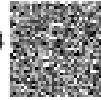
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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks
anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
81	18.07.2023	323, 325, 148, 149 IPC (452 IPC added lateron vide Rapat no. 48 dated 02.09.2023)	City Nakodar, District Jalandhar

2. Learned counsel for the petitioner submits that in
compliance to the order dated 03.10.2024, the petitioner has joined the
investigation.
3. During the course of hearing on 03.10.2024, following
order has been passed: -



‘Short reply dated 02.10.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division Nakodar, District Jalandhar (Rural), is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Heard.

Admittedly, the FIR was originally registered under Sections 323, 325, 148 and 149 IPC and the petitioner had moved an application for grant of anticipatory bail, which was disposed of vide order dated 01.08.2023 by learned Additional Sessions Judge, Jalandhar on the ground that the offences were bailable in nature.

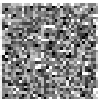
It is not disputed that the petitioner had joined the investigation and recovery of alleged weapon along with one car has already been effected from him. However, with the addition of offence punishable under Section 452 IPC, the petitioner is required by the Police.

Keeping in view the fact that petitioner has already joined the investigation and the possible recovery has already been effected from him before incorporation of Section 452 IPC, therefore, the petitioner is directed to join investigation within seven days from today and co-operate in the same.

In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 25.10.2024’.

4. Learned State counsel on instructions received from SI Dilbag Singh, informs the Court that the petitioner has joined the



investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 03.10.2024 passed by this Court, interim bail granted vide order dated 03.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

25.10.2024
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(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |