

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(204)

CRM-M-41664-2024(O&M)
DATE OF DECISION:05.12.2024

Gurcharan Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON’BLE MR.JUSTICE GURVINDER SINGH GILL

Present

Mr.SPK Phoolka, Advocate,
for the petitioner.

Mr.Prabhdeep Singh Dhaliwal, AAG, Punjab.

Mr. Ankit Bishnoi, Advocate,
for complainant.

FIR No.	Date	Police Station	Under Sections
043	20.07.2024	Cantt. Bathinda,	118(1), 115(2), 3(5) of BNSS, 2023, offence under Section 118(2) of BNSS added later on.

GURVINDER SINGH GILL,(ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
2. At the time of issuance of notice of motion, the following order
was passed on 28.08.2024:-

*“The petitioner seeks grant of anticipatory bail in
respect of a case registered vide FIR No.043, dated
20.7.2024 at Police Station Cantt., Bathinda, under Sections
118(1), 115(2), 3(5) of Bharatiya Nagarik Suraksha Sanhita,
2023, (BNSS), wherein offence under Section 118(2) of BNSS
was added later on.*



The FIR was lodged at the instance of Amandeep Kaur, wherein it is alleged that on 18.7.2024 Gurcharan Singh (petitioner) and Nasib Kaur caught hold of her from her hair and that while Gurcharan Singh raised a 'lalkara' to teach the complainant a lesson, Manpreet Singh, who was carrying 'gandasi', inflicted a blow towards the complainant. The complainant, however, raised her left hand to ward-off the blow and consequently the 'gandasi' hit on the little finger on her left hand. When the complainant fell down, all the accused gave beatings to her.

Learned counsel for the petitioner submitted that the petitioner was neither carrying any weapon nor is attributed any injury and is alleged to have raised a 'lalkara' only exhorting his companions. It has further been submitted that the petitioner has a clean record and has been implicated falsely.

Notice of motion for 5.12.2024.

At this stage, Mr. Ankit Bishnoi, Advocate has put in appearance on behalf of the complainant and has filed Vakalatnama, which is taken on record.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting / Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C."

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 28.08.2024 the petitioner has since joined investigation and he is not required for any custodial interrogation.



4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 28.08.2024 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

05.12.2024
mamta

(GURVINDER SINGH GILL)
JUDGE

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