



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M No.42038 of 2024
Date of decision: 30.09.2024

RAHUL ALIAS PARDEEP KUMAR Petitioner
Versus
STATE OF PUNJAB AND OTHERS Respondents

CORAM: HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Amandeep Singh, D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’), is for grant of anticipatory bail to the petitioner in case FIR No.6 dated 27.01.2024 registered under Sections 325, 324, 323, 379, 436, 336, 427, 148 and 149 of IPC at Police Station City-2, Abohar, District Fazilka.
2. Vide order dated 29.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 29.08.2024, passed by this Court, reads as under:

“The instant petition has been filed by the petitioner seeking benefit of pre arrest bail in case arising out of FIR No.6 dated 27.01.2024 registered under Sections 325, 324, 323, 379, 436, 336, 427, 148 and 149 of IPC at Police Station City-2, Abohar, District Fazilka on the basis of statement recorded by the complainant-Sajan on 27.01.2024 making allegation that on 26.01.2024, he along with his brother Karan was going towards their house, they were intercepted by the petitioner and his father i.e. co-accused Raj



Kumar @ Raju Fighter and other accused namely, Ritu, Ranjha and Sujal, Rahul son of Gurdeep Singh, Rahul @ Bulli son of Ajju, Prince, and Vicky. All of whom were armed with weapons and opened an assault on him and inflicted injuries on him. He alleged that the present petitioner had struck blow with datar on the complainant thereby, causing injury on his little finger of his left hand. After registration of FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner has moved an application for grant of anticipatory bail which had been dismissed by the Court of learned Additional Sessions Judge, Fazilka vide order dated 14.08.2024.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The injury which had been attributed to him has been pointed out to be simple in nature and it is on non-vital part of the body of the victim. There is delay of 1 day in lodging of the FIR. A compromise dated 21.02.2024 (Annexure P-2) has also been reduced in writing in this regard by the complainant and Karan in favour of the petitioner and co-accused. Co-accused Raj Kumar @ Raju Fighter has since been granted benefit of bail vide order dated 01.05.2024 passed by this Court. The petitioner is ready to join the investigation. He is also ready to get recover the weapon used in occurrence. His custodial interrogation is not required. Therefore, it is urged that the petition deserves to be allowed.

Notice of motion.



Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 30.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Status report dated 29.09.2024 submitted by learned State counsel is taken on Record. As per this status report, the injury sustained by the victim is simple in nature. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 06.09.2024 and no recovery is to be effected from him. His custodial interrogation is not required.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 29.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)
JUDGE

30.09.2024
Jyoti-IV

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