



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M No.41885 of 2024
Date of decision: 01.10.2024

RAJU SINGH @ RAJ SINGH**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Hasrat Brar, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. 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 No.78 dated 15.07.2019 registered under Sections 324, 323 and 34 of IPC (Sections 325 and 326 of IPC added later on vide DDR No.18 dated 21.09.2020) at Police Station Mamdot, District Ferozepur.
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:

“Prayer in the instant petition has been made by the petitioner for grant of pre arrest bail in case arising out of FIR No.78 dated 15.07.2019 registered under Sections 324, 323 and 34 of IPC (Sections 325 and 326 of IPC added later on vide DDR No.18 dated 21.09.2020) at Police Station Mamdot, District Ferozepur on the basis of statement recorded by the complainant-Ganga Ram on 15.07.2019 alleging therein that his brother Sher Singh who had purchased some land adjoining to the land owned by him and had



started passing through his land and due to which dispute has taken place between them. On 10.07.2019 also, he had tried to stop Sher Singh from using his land due to which an altercation had taken place. Then on 11.07.2019, while he was going to his house and was crossing the house of accused Sher Singh, he was intercepted by the accused Sher Singh, Raj Singh, Lakhvir Singh and Sukhwinder Singh. All of them were armed with weapons. Sukhwinder Singh raised lalkara and thereafter opened an attack upon him and caused injuries on his person. The petitioner had injured the small finger of his right hand by striking blow by kappa. On raising rescue alarm by him, his daughter and wife along with some other persons had come there. On seeing them, the assailants had fled away. After registration of the FIR, investigation proceedings have been initiated. As mentioned above, offences under Sections 325 and 326 have been added later on. Apprehending his arrest, the petitioner had moved an application for grant of pre arrest bail which had been dismissed by the Court of learned Additional Sessions Judge, Ferozepur vide order dated 06.08.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. There is delay of 4 days in registration of the FIR. Offence under Section 326 had been added one year after the registration of the FIR. The injuries attributed to him are on non-vital part of the body of the victim. A cross case has been registered against the members of the complainant party vide rapat No.30 dated 16.07.2019 as the petitioner has also sustained simple and grievous injuries on his



person in the same altercation. It is a case of version and cross version. No recovery is to be effected from him. He is ready to join the investigation. His custodial interrogation is not required.

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 01.10.2024.

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. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 02.09.2024 and he is not required for custodial interrogation.

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

01.10.2024
Jyoti-IV

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