



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M No.42171 of 2024  
Date of decision: 01.10.2024

GURPYAR SINGH ALIAS PRINCE

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Manjinder Singh Saini, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

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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.69 dated 24.04.2024 registered under Sections 307 and 34 of IPC and Section 25 of Arms Act at Police Station Mandi Gobindgarh, Fatehgarh Sahib.

2. Vide order dated 30.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 30.08.2024, passed by this Court, reads as under:

*“Prayer in this petition has been made by the petitioner for grant of pre arrest bail in case arising out of FIR No.69 dated 24.04.2024 registered under Sections 307 and 34 of IPC and Section 25 of Arms Act at Police Station Mandi Gobindgarh, Fatehgarh Sahib on the basis of statement recorded by the complainant-Sandeep Singh alleging therein that he had given an amount of ₹20,000/- from the accused Bharat Bhushan Joshi long back. Accused Bharat Bhushan Joshi had to return the same but he had*



*been putting off the matter either on one pretext or other. On the same day i.e. 24.04.2024, he had telephonically called Bharat Bhushan Joshi and asked him to give his money back. Then at about 5:15 pm when he along with his brother Ramandeep Singh was going towards the market, accused Bharat Bhushan Joshi along with the present petitioner and Anupam reached there on a scooty. All of them had grappled with the complainant and when his brother Ramandeep Singh tried to rescue him, the accused Bharat Bhushan Joshi took out the pistol and fired with same with an intention to kill him. The complainant had jumped over his brother to save himself from the bullet which crossed by his right knee from his lower part but fortunately, did not hit any sensitive part of the body. On raising rescue alarm, several persons gathered there and all the assailants fled away. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the present petitioner had moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Fatehgarh Sahib vide order dated 09.05.2024.*

*It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. Neither any injury had been sustained by the complainant or his brother incidentally nor any such injury had been attributed to him. It was not the petitioner who had fired shot with same fire arm and the gun shot had been attributed to the accused-Bharat Bhushan Joshi. His custodial interrogation is not required. He is ready to join the*



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*investigation. Recovery of the fire arm had been effected from accused-Bharat Bhushan Joshi who is in custody since 25.04.2024.*

*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 15.09.2024 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 30.08.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

01.10.2024

Jyoti-IV

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No