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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.42547 of 2024
Date of decision : 4.10.2024

Hardeep Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Kuldip Sanwal, Advocate, for the petitioner
Mr. Anup Singh, AAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of anticipatory bail to the
petitioner in case FIR No.45 dated 15.6.2024, under Sections 498-A of
IPC, registered at Police Station Women Cell, Ludhiana, Punjab.

2. On 2.9.2024, the following order was passed:

*‘At the outset, learned counsel for the petitioner states that due to
inadvertence the complainant could not be impleaded as a party-
respondent. On his request, the complainant-respondent is directed to be
impleaded as party-respondent No. 2. The details of the complainant-
respondent No. 2 are as under :-*

*“Komalpreet Kaur d/o Sikander Singh, r/o House No. 2015,
Ward No. 53, Near Deepu Gali, Gobind nagar Ludhiana,
Punjab-141001”*

*The Registry is directed to carry out requisite correction in the memo of
parties.*

*Apprehending his arrest in FIR No. 45, dated 15.06.2024 registered for
offences punishable under Section 498-A IPC at Police Station Women
Cell, Ludhiana; the petitioner has preferred this petition under Section*



482 of BNSS seeking pre-arrest bail.

Inter alia contends that genesis of the FIR in question is the matrimonial discord between the petitioner and the complainant-wife; the petitioner is willing to return the entire dowry articles/Istridhan including gold articles in his possession and in order to show his bonafide learned counsel for the petitioner has handed over in the Court today a demand draft of Rs. 2 lakhs in favour of the complainant; petitioner is ready for an amicable settlement with respondent No. 2 & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 03.10.2024.

The petitioner is directed to appear before the Investigating Officer on 06.09.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.

The demand draft of Rs. 2 lakhs be retained on the Court record.

3. Learned State counsel (on instructions from ASI Harjinder Singh) submits that pursuant to the order dated 2.9.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

Learned counsel for the complainant/respondent no.2 has vociferously opposed the grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature & hence, he be not extended the concession of anticipatory bail.

4. I have heard learned counsel for the parties and have perused the available record.

5. Keeping in view the entirety of the facts and circumstances of the case, as also the fact that the petitioner has joined the investigation and not required for custodial interrogation; the interim order dated 2.9.2024, passed by this Court is made absolute, subject to the conditions as enumerated under Section 482 (2) of BNSS.
6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482 (2) of BNSS, or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. On 2.9.2024 a demand draft of ₹ 2 lakhs was submitted by the petitioner in favour of the complainant, which has been retained on record. The same be released to the complainant/respondent no.2 on due identification.

(SUMEET GOEL)
JUDGE

4.10.2024
Ashwani

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No