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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43362-2024

Date of Decision:- 25.11.2024

SEEMA AND ANR

...Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. H.P.S. Ishar, Advocate for petitioners.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioners have filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.294 dated 22.12.2022 under Sections 379-B (2) and 411 of IPC registered at Police Station Moti Nagar, District Ludhiana.

2. Learned counsel for petitioners argued that he was granted interim bail vide order dated 27.09.2024 which runs as under:-

“Petitioners Seema and Karan have filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No. 294 dated 22.12.2022 under Sections 379-B(2), 411 of IPC, registered at Police Station Moti Nagar, District Ludhiana, Punjab.

Learned counsel representing State seeks time to file status report. However, on instructions received from ASI Anil Kumar, No.191/Ludhiana, it is conceded that co-accused Sagar has been convicted in aforesaid FIR vide judgment dated 08.07.2024. At the time of presentation of challan, present petitioners were kept in column No. 2. It is confirmed that they were not declared proclaimed persons. In fact, petitioners were named in disclosure statement of Sagar recorded on 22.12.2022.

Considering the aforesaid factual position, in case petitioners are arrested, they be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer subject to condition that petitioners will join investigation as and when required. They will not tamper with or interfere with investigation and will not leave the country without prior permission as provided under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023. Adjourned to 25.11.2024, for filing status report”

3. He further argued that in compliance to the aforesaid order, they have already joined the investigation and fully cooperated. No recovery is to be effected from them. Therefore, interim bail granted in their favour may be confirmed.
4. Status report is filed in which it is confirmed that petitioners have joined investigation on 05.10.2024. Learned State counsel, on instructions from ASI Anil Kumar No.191, P.S. Moti Nagar, submits that petitioners are not required for further investigation.
5. Since petitioners have already joined the investigation, therefore, they are not required for any other purpose. They are still ready to abide by the terms and conditions of bail order, therefore, interim bail granted in favour of the petitioners vide order dated 27.09.2024 stands confirmed subject to the conditions detailed under Section 482 (2) of BNSS.
6. Petition is disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

25.11.2024
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Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No