



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M-44791 of 2024
DATE OF DECISION :- 22.10.2024**

Dikshant

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Amit Sharma, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J. (Oral)

Mr. Madan Lal Saini, Advocate has filed Memo of appearance for respondent No. 2. The same be taken on record.

1. This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioner in FIR No. 97 dated 07.08.2024 registered for offences punishable under Sections 64 of BNS, 2023 at Police Station Nangal, District Rupnagar.

2. On 11.09.2024, 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 :-

“Nitasha D/o Ashok Kumar, resident of #321/EB Block, Nangal, District Rupnagar, Punjab.”

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



Apprehending his arrest in FIR No. 97 dated 07.08.2024 registered for offences punishable under Sections 64 of BNS, 2023 at Police Station Nangal, District Rupnagar; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail. Inter alia contends that there was consensual friendship between the petitioner and the victim which turned sour later on & it is on this account that the petitioner has been falsely implicated into the FIR in question; relies upon the averments contained in paragraph Nos. 11 to 13 of the instant petition to show that the complainant of the instant FIR is involved in other such like cases also; no recovery is to be effected from the petitioner & 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 22.10.2024.

The petitioner is directed to appear before the Investigating Officer on 16.09.2024 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 Senior Superintendent of Police, Ropar is directed to furnish a response to the instant petition by way of his affidavit.”

3. Affidavit of Sh. Gulneet Singh Khurana, IPS, Senior Superintendent of Police, Rupnagar, District Rupnagar filed in the Court today. The same be taken on record.



Learned State counsel, on instructions from ASI Balram, has stated that pursuant to the order dated 11.09.2024, the petitioner has joined investigation and is no longer required for custodial interrogation. It has been further averred by the learned State counsel that a cancellation report has also been prepared qua the FIR in question on 18.10.2024.

4. In view of above, the present petition stands allowed and the interim order dated 11.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

5. 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.

6. 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, 2023 or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

22.10.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No