



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

224

CRM-M-45155-2024

Date of decision: 23.09.2024

KULWANT SINGH AND ANR

....PETITIONERS

V/s

STATE OF PUNJAB AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Azam Khan, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab.

Mr. Ritesh Pandey, Advocate for respondent No.2.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS for grant of anticipatory bail to the petitioners in a case cross case recorded GD No.33 dated 06.05.2024, registered for the offences punishable under Sections 324, 323, 34 of IPC and 326 of IPC added later on (Annexure P-2) in FIR No.22 dated 30.03.2024 registered for the offences punishable under Section 354, 452, 427, 148, 149 at Police Station, Rangar Nangal District Batala.

2. On 12.09.2024, the following order was passed:-

“Apprehending their arrest in GD No. 33 dated 06.05.2024 registered for offences punishable under Sections 324,323,34 IPC and 326 IPC added later on in FIR No. 22 dated 30.03.2024 registered for offences punishable under Sections 354,452,427,148,149 IPC at Police Station Rangar Nangal, District Batala; the petitioners have preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that the FIR in question was got registered on misunderstanding between the parties which has since been resolved; a compromise (a copy whereof has been appended as Annexure P-3 with the instant petition) has also been effected & the petitioners are 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 23.09.2024.

The petitioners are 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 petitioners shall be released on interim bail subject to



their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023. To be heard along with CRM-M-39226-2024.”

3. Learned State counsel, on instructions from ASI Baldev Singh, has stated that pursuant to the order dated 12.09.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.
4. In view of above, the present petition is allowed and interim order dated 12.09.2024 passed by this Court is made absolute, subject to the conditions as enumerated under 482(2) of BNSS.
5. This order should not be treated as “blanket” order. It will not be read granting petitioners 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 petitioners 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.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

September 23, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No