

CRM-M-45253-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-45253-2024
Date of decision: 14.11.2024

HARJINDER SINGH AND ANRPetitioners

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. K.S. Maangat, Advocate for the petitioners.

Mr. Ankit Grewal, DAG Punjab.

Mr. Saurabh Singh, Advocate for the complainant.
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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, the petitioners seek anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
81	31.07.2024	109, 115(2), 324(4), 191(3), 190, 351(2) (117(2) added later on) of Bhartiya Nayaya Sanhita 2023 (BNS) and 25 of the Arms Act.	Kalanaur, District Gurdaspur

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.10.2024, the petitioners have joined the investigation.



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3. During the course of hearing on 16.10.2024, following order had been passed: -

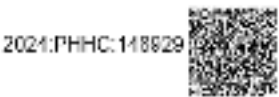
“ *Heard.*

Learned counsel for the petitioners inter alia contends that the petitioners are innocent and have been falsely implicated in the case. He submits that there had been version and cross-version and one DDR has also been registered. He further submits that no specific overt act is attributed to the petitioners and even as per the allegations levelled in the FIR, no injury has been attributed to petitioner No.1, whereas a blunt injury which has been found to be simple in nature on the hand of the complainant has been attributed to petitioner No.2. He submits that the petitioners are not having any criminal antecedents and are ready to join the investigation.

Per contra, learned State counsel assisted by learned counsel for the complainant while referring to the status report submitted by the State has assailed the arguments and prayed for dismissal of the petition. However, they have not disputed the fact that no injury is attributed to petitioner No.1 and the injury attributed to petitioner No.2 is simple in nature and not on the vital part of the body.

Be that as it may, without commenting on the merits of the case, the petitioners are hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioners, they shall be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 482(2) BNSS.

List on 14.11.2024.”



4. Learned State counsel on instructions received from ASI Gurnam Singh informs the Court that the petitioners have joined the investigation and are neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 16.10.2024 passed by this Court, interim bail granted vide order dated 16.10.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

14.11.2024
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(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |