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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45483-2024

Date of decision: 15.10.2024

Karambir @ Karamveer

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

Mr. Vishwajeet, Advocate
for the complainant.**HARPREET SINGH BRAR, J. (ORAL)**

This petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail in case bearing FIR No.523 dated 30.08.2024 (Annexure P-1) under Sections 351(2)/74/75(2) of BNS, 2023 registered at Police Station Indri, District Karnal.

On 12.09.2024, the following order was passed:-

'The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.523 dated 30.08.2024 under Sections 351(2), 74 & 75 (2) of BNS, 2023 registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner inter alia contends that there is a delay of 07 days in the registration of the FIR (supra). In fact, the petitioner and his wife were assaulted by the complainant and her family members. He further refers to the MLRs of the petitioner and his wife as Annexures P-2 & P-3, respectively. Moreover, the maximum sentence under which the FIR was lodged is punishable upto 05 years. No Notice under Section 35 of B.N.S.S. was served.

Notice of motion.

On the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

Mr. Vishwajeet, Advocate puts in appearance on behalf of the complainant and files his memorandum of appearance which is taken on record. He vehemently opposed the prayer made by learned



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counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 15.10.2024.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.'

Learned State counsel on instructions from ASI Parveen Kumari, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 12.09.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) BNSS.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

15.10.2024

Neha

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