



CRM-M-45660-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45660-2024

Date of decision : October 28, 2024

Rajinder Kumar @ Amit

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. N.S. Sidhu, Advocate, for the petitioner
Mr. Sahil R. Bakshi, AAG, Punjab
Mr. Ajay Singh Pundir, Advocate, for respondent
No.2/complainant

KULDEEP TIWARI,J. (ORAL)

1. On 17.9.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of anticipatory bail, in case FIR No.50 dated 15.05.2021, under Sections 307/148/149/324/326 of the IPC, registered at P.S. Rampura City, District Bathinda.

2. As per the FIR, the injury attributed to the petitioner is that, he gave a sword blow on the complainant/injured's right kneecap, which is a non vital body part.

3. The principal argument of the learned counsel for the petitioner is clothed in the fact that, the matter has been



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compromised between the parties. To substantiate this argument, he refers to Annexure P-2, which is an affidavit of the complainant/respondent No.2 regarding compromise. Therefore, he submits that when the complainant/respondent No.2 is not ready to support the case of prosecution, therefore, putting the petitioner behind the bars, for commission of the alleged offence (s), would tantamount to sheer abuse of the process of law.

4. At this stage, Mr. Ajay Singh Pundir, Advocate, who records his appearance on behalf of the complainant/respondent No.2, under a validly executed Vakalatnama instituted before this Court today, admits the factum of compromise between the parties.

5. Notice of motion.

6. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent No.1-State of Punjab.

7. Mr. Ajay Singh Pundir, Advocate, accepts notice on behalf of respondent No.2.

8. List on 28.10.2024.

9. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S.”

2. Today, the learned State counsel has, on instructions imparted

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to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 17.9.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

October 28, 2024**'tiwana'****(KULDEEP TIWARI)
JUDGE**

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