



CRM-M-46417-2024

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213

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

**CRM-M-46417-2024
Date of Decision : 24.10.2024**

JYOTI MAHANT AND ANOTHER

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. G.B.S.Dhillon, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 18.09.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, prayer is made for grant of anticipatory bail to the petitioners in GD No.19 dated 22.10.2021, under Sections 323, 341, 148, 149, 506, 379-B IPC and under Sections 25/54/59 of the Arms Act, registered in FIR No. 360 dated 21.10.2021, under Sections 323, 341, 148, 149, 506, 379-B IPC at Police Station City Khara, District SAS Nagar, Mohali.

Learned counsel for the petitioners inter-alia submits that no role whatsoever attributed to the present petitioners and even the injuries suffered by the complainant are simple in nature. He further submits that so far as the snatching of gold chain is concerned, he referred to the earlier numerous litigation pending against the petitioners and the complainant. He also submits that it is a case of version and cross-version and qua the instant incident, one FIR No. 360 dated 21.10.2021 has already been registered at the behest of petitioners. Notice of motion for 24.10.2024.

On the asking of the Court, Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Kuldeep S. Chaudhary, Advocate has caused appearance on behalf of the complainant and has vociferously opposed the grant of anticipatory bail to the petitioners. He submits that the petitioners are now threatening the complainant and they also carry an illegal weapons.

Be that as it may, considering the role of the present petitioners, this Court deems it appropriate to direct the petitioners to

join the investigation and in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 482(2) of the BNS. ”

2. Today, the learned State counsel has, on instructions imparted to him by ASI Rajinder Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and they are no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 18.09.2024, 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.

6. All pending application(s), if any, also stand **disposed** of accordingly.

October 24, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No