

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

**CRM-M-46621-2024
Date of Decision : 06.11.2024**

GURSHAN SINGH ALIAS GURSHAN MAAN AND ANOTHER
.....Petitioner(s)

VERSUS

STATE OF PUNJAB
.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Harpal Singh Sidhu, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 19.09.2024, 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 case FIR No.135 dated 14.8.2024, under Sections 118(1)/126(2)/351(3) of BNS, registered at Police Station Chheharta, District Amritsar Commissionerate.

Learned counsel for the petitioner in the asking for the relief (supra) submits that the petitioner has only caught hold of the complainant and no injury is attributed to the present petitioner and two of the injuries, which were suffered by the complainant are simple in nature.

Notice of motion for 23.10.2024.

On the asking of the Court, Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to file reply to the instant petition

In the meanwhile, the petitioners are directed 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 BNSS, 2023. ”

2. Upon the petitioners not co-operating with the investigating officer concerned, they were directed to rejoin the investigation vide order dated 23.10.2024.

3. Today, the learned State counsel has filed a short reply, dated 21.10.2024, by way of an affidavit of Sh. Shivdarshan Singh, ACP (West), Amritsar City, in Court, which is taken on record, with a copy thereof supplied to learned counsel for the petitioner.

4. He further submits, on instructions imparted to him by ASI Sukhdev Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) have joined investigation and they are no longer required for custodial interrogation.

5. In view of the above, the hereinabove extracted interim order dated 19.09.2024, 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.”

6. 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.

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

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

November 06, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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