



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

205 CRM-M-46883-2024 (O&M)  
Date of Decision: 18.11.2024

GURPREET SINGH ...Petitioner  
VERSUS  
STATE OF PUNJAB ....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Sukhjit Singh, Advocate for the petitioner.  
Mr. Rubal Pawar, AAG, Punjab.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in the FIR mentioned below:-

| FIR No. | Dated      | Police Station                                                    | Sections                                                                       |
|---------|------------|-------------------------------------------------------------------|--------------------------------------------------------------------------------|
| 0174    | 02.07.2024 | P.S. Sahnewal,<br>District Police<br>Commissionerate,<br>Ludhiana | 323, 341, 506, 148<br>& 149 of IPC<br>(Section 379-B<br>IPC added later<br>on) |

2. Vide order dated 20.09.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 20.09.2024 is reproduced as under:-

*“The present petition has been filed by the petitioner seeking benefit of pre-arrest bail in case arising out of FIR No. 174 dated 02.07.2024 registered under Sections 323, 341, 506, 148 and 149 of IPC, 1860 with offence under Sections 325 and 379-*



*B of IPC having added later on, at Police Station Sahnewal, District Police Commissionerate, Ludhiana.*

*Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by complainant Amandeep Singh on 02.07.2024 alleging therein that on 28.06.2024, he was returning home after attending some Bhog Ceremony at village Gurdwara Sahib. At about 2:00 PM, when he had reached in front of house of former Sarpanch Ram Aasra, he found the petitioner standing there along with Ashok Kumar, Rajesh Kumar, Roothveer Singh and Ram Aasra. On seeing him, they started hurling abuses to the complainant and proclaimed that he should be eliminated and should not be spared. On hearing so, feeling scared, the petitioner started walking with fast paces. The abovenamed accused then made a call to someone on phone telling someone to not to spare the complainant. When he reached near the house of Sampuran Das, he was waylaid by co-accused Shubham and one unknown youth, who were armed with an iron rod and grari of a motorbike. They opened an attack upon him by causing multiple injuries on his person. Rescue alarm raised by him attracted Sampuran Das and his wife who rushed towards him and on seeing whom, the assailants fled away. He was taken to hospital and remained under treatment. The cause of grudge as narrated by him was that he was in possession of a property which was sold by mother of Shubham to one Sukhdev Singh and all of them wanted to get that property vacated from him. During the course of investigation, offence under Section 379-B of IPC was also added as against co-accused Mangat. The investigation is underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which was*



*dismissed by learned Additional Sessions Judge, Ludhiana vide order dated 09.09.2024.*

*2. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case due to a property dispute between the him and the family of co-accused Shubham @ Shubu and also due to the fact that he is affiliated to a rival political party. He was one of the Panches of the village during the period from 2013 to 2018 and at that time the complainant was the Sarpanch and since the petitioner did not co-operate with his nefarious activities, the complainant was nursing a grudge against him. There is delay of four days in lodging of the FIR. Offence under Section 379-B was added later on only with a view to make the offences graver and more serious. The subject offences are not made out against him. No specific overt act has been attributed to him. No injury on the person has been attributed to him. He is ready to join the investigation. His custodial interrogation is not required. Therefore, it is argued that the petition deserves to be allowed.*

*Notice of motion.*

*On asking of the Court, Ms. Ruchika Sabherwal, Sr. DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to file status report.*

*Adjourned to 18.11.2024.*

*In the meantime, the petitioners are directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482(2) BNNS.”*



3. Learned State counsel on instructions states that the petitioner has joined the investigation on 21.10.2024. His custodial interrogation is not required. No useful purpose would be served by detaining him in custody. In view of the said facts but without commenting on the merits of the case, the present petition is allowed and the order dated 20.09.2024 granting interim bail to the petitioner is made absolute, subject to compliance of usual terms and conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.

18.11.2024

Deepak Patwal

( MANISHA BATRA )  
JUDGE

- |    |                                  |               |
|----|----------------------------------|---------------|
| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i>        | <i>Yes/No</i> |