



CRM-M-47583-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47583-2024
Date of decision: 28.10.2024

SURINDER KUMAR
....Petitioner

Versus

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Arshnoor Singh, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
84	09.11.2023	294, 427, 452, 506, 149 IPC	Khui Kheda, District Fazilka

2. Learned counsel for the petitioner submits that in compliance to the order dated 25.09.2024, the petitioner has joined the investigation.
3. During the course of hearing on 25.09.2024.2024, following order had been passed: -

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. He further contends that the petitioner happens to be the servant of co-accused Aashish Kumar who was having civil dispute with his uncle



regarding the property in question. The complainant has named the petitioner as one of the accused without there being any specific overt act attributed to him. He further contends that there is unexplained delay of more than one year in lodging of the FIR despite the matter being reported to the police after four days of the alleged occurrence. He contends that the co-accused Aashish Kumar has since been granted concession of bail vide Annexure P-5. The petitioner is not having any criminal antecedents and is ready to join the investigation.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.*

5. *Adjourned to 28.10.2024.*

6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.”*

4. Learned State counsel on instructions received from Head Constable Kuldeep informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 25.09.2024 passed by this Court, interim bail granted vide order dated 25.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

28.10.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |