



CRM-M-48207-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CRM-M-48207-2024
Date of Decision : 29.10.2024

Lovepreet Singh @ Labha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Jagjeet Singh, Advocate for
Mr. Amit Arora, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. This Court, on dated 26.09.2024, 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 (BNSS), prayer
is made for grant of 'anticipatory bail' to the petitioner in
case FIR no.52, dated 23.06.2024 (Annexure P-1), under
Section 25 of the Arms Act, registered at Police Station
Khem Karan, Distict Tarn Taran.*

*Learned counsel for the petitioner, in asking for the relief
(supra), submits that the petitioner was neither named in
the FIR, nor any specific role has been attributed to him,
rather only on the basis of a disclosure statement of the co-
accused, he has been nominated as an accused in the
instant FIR.*

*He further submits that there is no inculpatory evidence
with the prosecution agency, as on date requiring the
custodial interrogation of the present petitioner.*



Notice of motion.

Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State, and waives service.

Adjourned to 29.10.2024.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so, and shall abide by the conditions as provided under Section 482(2) BNSS, 2023.”

2. The learned State counsel on instructions imparted to him from the Investigating Officer concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is required for further custodial interrogation.

3. Today, the learned State counsel has placed on record reply dated 28.10.2024, by way of affidavit of Mr. Preet Inder Singh, PPS, Deputy Superintendent of Police, Sub Division Bhikhiwind, District Tarn Taran, on behalf of the respondent-State of Punjab, in the Court. The same is taken on the record. By referring to the disclosure statement of co-accused Gurmel Singh, learned State counsel submits that as per the disclosure, the petitioner is also in possession of an illegal weapon of offence, which is required to be recovered from the present petitioner.

4. This Court has considered the submissions made by the learned State counsel.

5. On perusal of the record, it transpires that the weapon of offence, which was used in the FIR (supra), has already been got recovered by the

co-accused, therefore, this Court does not find any reasons, to not extend the



relief of anticipatory bail to the present petitioner, as only on the basis of the disclosure statement of the co-accused, asked for relief cannot be denied.

6. In view of the above, the hereinabove extracted interim order dated 26.09.2024, 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.”

7. 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.

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

(KULDEEP TIWARI)
JUDGE

October 29, 2024
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No