



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-47472-2024

Date of Decision : November 18, 2024

AMANDEEP SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. R.S.Sekhon, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 16.10.2024, 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 petitioner in case FIR No.175 dated 30.8.2020, under Sections 302, 458, 323, 324, 171, 148, 149 of IPC and under Sections 25, 27/54/59 of the Arms Act, registered at Police Station Khui Khera, District Fazilka.

Learned counsel for the petitioner in the asking for the relief (supra) inter-alia submits that the instant FIR was registered way back in the year 2020, whereas, the name of the petitioner was incorporated by recording a DDR No.9 dated 22.1.2024 on the basis of call details (CDR) and the tower locations of the present petitioner, which according to the prosecution proved that the

petitioner was present at the place of occurrence. He also placed reliance upon the order dated 13.11.2023 passed by a co-ordinate Bench of this Court vide which the co-accused, who is on co-equal pedestal with the petitioner has been granted the relief of anticipatory bail.

It is not in dispute that the petitioner and the co-accused i.e. Gurwinder Singh, who has been extended the relief of anticipatory bail by a co-ordinate Bench of this Court, being on co-equal pedestal, as both of them have been involved in the instant FIR, after a span of 2½ years of the alleged occurrence.

The learned State counsel on the other hand, informs this Court that initially, names of 22 persons were surfaced in the instant case, however, during investigation 13 persons were declared as innocent and 7 persons were arrested and out of these 7 persons, 6 are on bail and one accused has unfortunately died during the pendency of the trial.

In view of the above, this Court deems it fit and appropriate to direct the petitioner to join the investigation and in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner 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.

Adjourned to 18.11.2024.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 16.10.2024, 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.

November 18, 2024
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(KULDEEP TIWARI)
JUDGE

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