



CRM-M-47586 of 2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-47586 of 2024

Date of Decision: 19.11.2024

Navtej Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Manisha Batra, J.(Oral)

1. Prayer in the present petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita 2023 (for short-‘BNSS’) is for grant of anticipatory bail in case FIR No.76 dated 30.07.2024 under Sections 118(1), 118(2) and 324(2) of BNS, 2023, registered at Police Station Ramdas, District Amritsar.

2. Vide order dated 23.09.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

Order dated 23.09.2024, passed by this Court, reads as under:

“The petitioner is seeking grant of pre arrest bail in case arising out of FIR No.76 dated 30.07.2024, registered under Sections 118(1), 118(2) and 324(2) of Bharatiya Nyaya Sanhita, 2023 (BNS), at Police Station Ramdas, District Amritsar on the basis of statement recorded by the complainant-Sarabjit Singh alleging therein that on 14.07.2024 at about 5:00 PM, he along



CRM-M-47586 of 2024

-2-

with his son was present in his field when the present petitioner reached there on his tractor and opened an assault upon him with Kirch while sitting on the tractor and caused injuries on his chest and wrist of right hand as well as on the other parts of body. Rescue alarm raised by him, had attracted several other persons. On seeing them, the petitioner fled away from the spot. He also stated that earlier he could not record his statement in the present FIR as efforts for effecting compromise had been made by the respectables of the village. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which had been dismissed by learned Additional Sessions Judge, Amritsar vide order dated 13.09.2024.

Learned counsel for the petitioner has submitted that there is inordinate and unexplained delay of 16 days in reporting the matter to the Police. The version in the FIR is quite improbable and unnatural as since according to the complainant/injured, the petitioner had struck blow with Kirch on his chest while sitting on the tractor and this fact cannot be considered to be correct as while sitting at such height, no such injury could have been inflicted. It is further submitted that the petitioner is ready to join the investigation. His custodial interrogation is not required. The injury which has been opined to be grievous in nature had been sustained on the wrist of the complainant and not on a vital part of the body.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 19.11.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required

**CRM-M-47586 of 2024****-3-**

thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023”.

3. Learned State counsel has submitted that the petitioner has joined investigation on 26.09.2024 and he is not required for custodial interrogation.

4. Keeping in view the above facts and circumstances, but without commenting on the merits of the case, the present petition is allowed and the order dated 23.09.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

19.11.2024*D.Bansal***(MANISHA BATRA)
JUDGE**

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