

CRM-M-47757-2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-47757-2024
Date of decision: 28.10.2024

AMARBIR SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.
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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
89	18.08.2024	333, 351 (2), 351 (3), 3 (5) of BNS, 2023 and Section 25 of Arms Act	Shri Hargobindpur, District Batala.

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.09.2024, the petitioner has joined the investigation.
3. During the course of hearing on 26.09.2024, 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 a false story has been put up by the



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complainant that the petitioner was armed with pistol. He has referred to the CCTV footage of the incident to say that he was empty handed and no overt act has been attributed to the petitioner specifically. He contends that the copy of CCTV footage has already been supplied to the investigating agency and the petitioner is not having any other criminal case.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Sakattar Singh, Investigating Officer of the case, submits that from the CCTV footage supplied in the pen drive, the petitioner is found to be empty handed. He prays for time to file the status report/reply in the matter.*

5. *Adjourned to 28.10.2024.*

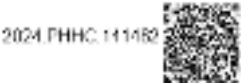
6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *Investigating Officer of the case to remain present along with record on the next date of hearing.*

8. *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 ASI Paramjeet Singh 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 26.09.2024 passed by this Court, interim bail granted vide order dated 26.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the



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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 |