

2024:PHHC:140416



CRM-M-48356-2024
Date of decision:25.10.2024

....Petitioner.

Versus

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Mr. Shubham Mehta, Advocate,
for respondents No. 2 and 3.

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SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
45	22.08.2024	118(1), 118(2), 115(2), 333, 3(5) of the BNS	Harike, District Tarn Taran

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.09.2024, the petitioner has joined the investigation.

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3. During the course of hearing on 26.09.2024, following order has been passed: -

'2. Learned counsel for the petitioners, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. The matter is still at the investigation stage and in the meanwhile settlement has been effected between the parties vide Annexure P-2. The petitioner is not having any other case against him and he is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Adesh Pal Singh, learned AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from SI Gurlal Singh has not disputed the factum of compromise.

5. Mr. Shubham Mehta, Advocate puts in appearance on behalf of respondent No.2 and 3 and has filed memo of appearance, who has admitted the factum of compromise.

6. Adjourned to 25.10.2024.

7. In the meanwhile, the petitioner is directed to join investigation within seven days from today and co-operate with the same. In the event of arrest of the petitioner, he shall 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) BNSS'.

4. Learned State counsel on instructions received from ASI Satnam Singh, informs the Court that the petitioner has joined the

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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 the Bharatiya Nagarik Suraksha Sanhita 2023 (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.

25.10.2024
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(SANJIV BERRY)
JUDGE

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