

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-49067-2024
Date of decision: 29.10.2024

MANJEET KAUR AND ORSPETITIONERS

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Gurbinder Singh Sidhu, Advocate for
Mr. A.S. Brar, Advocate for the petitioners.

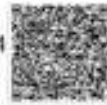
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS,
2023 (438 of Cr.P.C.), petitioners seek anticipatory bail in case FIR
(Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
73	11.07.2024	333, 115 (2), 324 (2), 3 (5) of BNS, 2023	Badhni Kalan, District Moga.

2. Mr. Raghav Gulati, Advocate has put in appearance on behalf of the complainant and has filed power of attorney in the Court today. The same is taken on record.
3. Learned counsel for the petitioners submits that in compliance to the order dated 30.09.2024 passed by this Court, the petitioners have already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 30.09.2024.
4. Learned State counsel, on telephonic instructions from ASI Sandeep Kumar intimates the Court that the petitioners have joined



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investigation and are neither required for further investigation nor for any custodial investigation.

5. Learned counsel for the complainant has opposed the bail application and prayed for dismissal thereof considering the nature and gravity of offence.

6. During the course of hearing on 30.09.2024, following order was passed:

“2. Learned counsel for the petitioners, inter alia, contends that the petitioners are innocent and have been falsely implicated in this case on account of some land dispute between the parties. He contends that although the petitioners were named in the FIR but no specific overt act is attributed to them nor any injury has been attributed to the petitioners. He contends that petitioner No.1 is suffering from Cancer and the petitioners are facing another FIR No.64 dated 24.06.2024, P.S. Badhni Kalan, District Moga, which has also been filed by the same complainant. He further contends that the petitioners are ready to join the investigation and prays for grant of anticipatory bail.

3. Notice of motion returnable for 29.10.2024.

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 from ASI Jagdev Singh, present in Court, admits the facts that no injury has been attributed to the complainant in the case and seeks time to file reply on or before the adjourned date.

5. In the meanwhile, the petitioners are hereby directed to join investigation within seven days from today and in the event of their arrest, they are ordered to be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They



shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023. ”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners have joined the investigation consequent to the order dated 30.09.2024 passed by this Court, interim bail granted vide order dated 30.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioners are 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 petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

29.10.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |