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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48677-2024 (O&M)
Date of Decision:- 29.11.2024

BHUPINDER SINGH SANDHU

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amritpal Singh Gill, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
61	03.04.2022	302, 323, 506, 148, 149 and 120-B IPC; (302 IPC deleted and 304 IPC added later on)	Tibba, District Police Commissionerate, Ludhiana

2. Learned counsel for the petitioner has submitted that in
compliance to the order dated 14.11.2024 passed by this Court, the petitioner
has appeared in the Court and furnished his requisite bail bonds. He has
placed on record copy of the order dated 16.11.2024, passed by learned
Additional Sessions Judge, Ludhiana in case titled ‘*State Vs. Paramjit*



Singh SC/10820/2022, whereby the petitioner has been admitted on interim bail by the learned trial Court.

3. Learned State counsel has not disputed the aforesaid factum.
4. Heard.
5. During the course of proceedings on 14.11.2024, the following order was passed.

“Learned counsel for the petitioner inter alia contends that originally the FIR in question was registered under Sections 302, 323, 506, 148, 149 and 120-B IPC and later on during the course of investigation, offence under Section 302 IPC was deleted and challan was presented against co-accused under Section 304 IPC along with Sections 323, 506, 148, 149 and 120-B IPC. He contends that after thorough investigation based on electronic evidence as well, the investigating agency had found the petitioner to be innocent and accordingly, he was not challaned. However, during the course of trial, on an application moved under Section 319 CrPC by the prosecution, the petitioner was summoned to face trial vide impugned order dated 14.02.2024 (Annexure P-11) and the matter is pending before learned trial Court for the presence of the petitioner for 20.12.2024. He contends that even as per the allegations levelled in the FIR, no specific overt act is attributed to the petitioner, much less with any specific weapon. He submits that the petitioner is not having any criminal antecedent and is ready to face the trial.

Learned State counsel, while referring to the status report submitted by the State has not disputed the factual matrix.

In these circumstances, without commenting on the merits of the case, petitioner is directed to appear before the Trial Court/Duty Magistrate concerned, within a period of 10 days from today. In that event, he is ordered to be admitted on interim bail on his furnishing bail bonds /surety bonds to the satisfaction of the concerned Court/Duty Magistrate.

List on 29.11.2024.”

6. Since the petitioner was summoned under Section 319 CrPC by learned trial Court, although he was found innocent by the Police at the time of presentation of challan, learned State counsel has very fairly conceded



that his custodial interrogation is not required, since he has already put in appearance before the trial Court and furnished his requisite bail/surety bonds consequent to the order dated 14.11.2024, passed by this Court. Consequently, the present petition is allowed. The interim bail granted vide order dated 14.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 7. The petition stands allowed.
- 8. Pending applications, if any, shall also stand disposed of.

(SANJIV BERRY)
JUDGE

29.11.2024
S.Sharma(syr)

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