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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision : October 24, 2024

AMRITPAL SINGH

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Anmol Jeevan Singh Gill, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Kushagra Mahajan, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)

1. On 26.09.2024, Hon'ble the Chief Justice of this High Court had passed the hereinafter extracted order, upon the instant petition:-

"The petitioner, who has no criminal antecedents, apprehends his arrest in respect of offence punishable under Sections 118(2), 118(1), 117(1), 115(2) and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 in FIR No. 84 dated 22.07.2024 registered at Police Station Bhindi Saidan, District Amritsar Rural, with the allegation of causing grievous injury. However, grievous injury is attributed to co-accused Sukhwinder Singh and not the petitioner. More so there is a cross case wherein the petitioner has also received injury and therefore, the possibility of the incident arising out of impulse more than intent cannot be ruled out.

2. Accordingly, this Court is inclined to grant the benefit of interim anticipatory bail to the petitioner subject to his furnishing personal bonds for a sum of Rs. 50000/- with two sureties of the like amount each to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do



so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. This order shall also remain subject to the following condition:-

i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the Registry before the next date of hearing, failing which the Registry is directed to place the matter before the appropriate Bench where the Bench may consider recall of the order.

4. List on 24.10.2024.”

2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Lakhwinder Singh, has stated that pursuant to the making of the hereinabove reproduced order, the petitioner had joined investigation and he is no longer required for further custodial interrogation.

3. The learned counsel for the petitioner has also placed on record photographs showing that the petitioner has, in compliance of the directions embodied in the hereinabove reproduced order, planted 10 saplings of indigenous plants at public place(s). Moreover, this fact is not disputed by the learned State counsel.

4. In view of the above, the hereinabove reproduced interim order dated 26.09.2024 is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner shall not commit an offence similar to the present offence;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner shall make himself available for interrogation by a police officer as and when required.”

This order should not be treated as “blanket” order. It will not be



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read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

October 24, 2024
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(KULDEEP TIWARI)
JUDGE

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