



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-49473-2024

Date of Decision : November 26, 2024

JAGJEET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. T.S.Hundal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 3.10.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR no.47, dated 06.04.2024 (Annexure P-1), under Sections 324 and 34 the IPC (Sections 325 and 326 IPC, added later on vide DDR No.10, dated 21.07.2024) (Sections 118(1), 3(5), 118(2) and 117(2) of BNSS Act, 2013), registered at Police Station Kot Ise Khan, District Moga.

Learned counsel for the petitioner submits that earlier the instant FIR, was registered only under Sections 324 and 34 IPC, that too after four days of the occurrence. The petitioner was earlier arrested on 14.04.2024, and on the same day, he was released on bail by the police, since the offences were bailable in nature.

He further submits that after three months, on an opinion of a private doctor, offences under Sections 325 and 326 IPC, were added vide DDR (supra).

He also submits that the allegation against the present petitioner, is that he used a dater, for causing injuries to the victim, whereas, the two injuries which are suffered by the victim, are lacerated wounds.

He in addition submits that in fact the medico-legal-report, are contradicting the ocular version of the complainant.

Notice of motion.

Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State, and waives service.

Adjourned to 26.11.2024.

In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) B.N.S.S., 2023.”

2. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 3.10.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

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

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

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

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

November 26, 2024
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(KULDEEP TIWARI)
JUDGE

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