

**CRM-M-50040 of 2024****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****219****CRM-M-50040 of 2024****DATE OF DECISION :- 03.12.2024****Satnam Singh****...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:-** Mr. Kuldip Singh, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

*********SUMEET GOEL, J. (Oral)**

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 136 dated 05.07.2024 registered for offences punishable under Sections 137(2) & 96 of BNS, 2023 (Section 64 BNS, 2023 and Section 4 of POCSO Act added later on) at Police Station Sadar Khanna, Police District Khanna, District Ludhiana.

2. On 14.10.2024, the following order was passed:-

“At the outset, learned counsel for the petitioner states that, due to inadvertence, the complainant as also the victim could not be impleaded as party-respondents. On his request, the complainant as also the victim are directed to be impleaded as party-respondents No. 2 and 3. The details of the complainant as also the victim are as under :-

“1.Hardeep Singh (complainant) S/o Gurmail Singh, resident of Village Bhumdi, Tehsil Khanna, District Ludhiana.

2.Isha Rani (victim) D/o Hardeep Singh, resident of Village Bhumdi, Tehsil Khanna, District Ludhiana.”



The Registry is directed to carry out requisite correction in the memo of parties.

Apprehending his arrest in FIR No. 136 dated 05.07.2024 registered for offences punishable under Sections 137(2) & 96 of BNS, 2023 (Section 64 BNS, 2023 and Section 4 of POCSO Act added later on) at Police Station Sadar Khanna, Police District Khanna, District Ludhiana; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that the FIR in question was registered on account of misunderstanding which has now been resolved by way of compromise dated 27.08.2024 (copy whereof has been appended as Annexure P-3 with the instant petition) & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Process Dasti only qua respondents No. 2 and 3.

Status report by way of affidavit of Sh. Amritpal Singh Bhaati, PPS, Deputy Superintendent of Police, Police District Khanna, District Ludhiana filed in the Court today. The same be taken on record. A copy thereof has been supplied to learned counsel for the petitioner.

Adjourned to 20.11.2024.

The petitioner is directed to appear before the Investigating Officer on 18.10.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from SI Davinder , has stated that pursuant to the order dated 14.10.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.



CRM-M-50040 of 2024 **3**

4. Mr. Anil Kumar Goyal, Advocate has filed memo of appearance for respondents No. 2 and 3. He has affirmed the factum of compromise dated 27.08.2024 (copy whereof has been appended as Annexure P-3 with the instant petition).
5. Keeping in view the entirety of facts and circumstances of the case, especially the factum of petitioner having joined investigation and not being required for custodial interrogation, the present petition stands allowed and the interim order dated 14.10.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.
6. This order should not be treated as “blanket” order. It will not be 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.
7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

03.12.2024
P.Singh

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