



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51190-2024
Date of decision: 11.12.2024

JAGAN NATH
....PETITIONER

Versus

STATE OF PUNJAB AND OTHERS
....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. B.S. Loomba, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.
Mr. Abhijeet Partap, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
107	25.05.2024	379-B(2), 323, 506 and 120-B of IPC	Division 6, Ludhiana

2. Learned counsel for the petitioner submits that in compliance to the order dated 18.11.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 18.11.2024.
3. Learned State counsel, on instructions from ASI Jaswant Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



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4. Learned counsel for the complainant has opposed the petition on the ground that keeping in view the gravity of the offence, the petition does not deserves the concession of bail.

5. During the course of hearing on 18.11.2024, following order was passed:

“Status report dated 16.11.2024 filed in the form of an affidavit of Assistant Commissioner of Police, Industrial Area B, Ludhiana is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

Station House Officer, Inspector Rajesh Thakur is present in Court along with the Investigating Officer of the case ASI Jaswant Singh.

Heard.

It is inter alia contended by learned counsel for the petitioner that the petitioner is not having any criminal antecedent and no specific overt act is attributed to him.

Learned State counsel on instructions from the aforesaid police officials present in Court has stated that the entire occurrence was captured in the CCTV camera and the photographs thereof have been annexed along with the status report.

To a query as to whether there is some snatching recorded in the CCTV camera, the Investigating Officer present in Court has stated that it is not so recorded in the CCTV camera.

Admittedly, no injury is attributed to the petitioner in the scuffle primarily arising out of parking dispute. The petitioner is not having any criminal antecedent.

List on 11.12.2024.

In the meanwhile, without commenting on the merits of the case, the petitioner is hereby directed to join investigation



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within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) BNSS. ”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 18.11.2024 passed by this Court, interim bail granted vide order dated 18.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is 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 petitioner; he will 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. 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

11.12.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |