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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50919-2024

Date of decision: 18.11.2024

Jashanpreet Singh alias Raja

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sukhbir Maandi, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Karan Singh, Advocate
for the complainant.**HARPREET SINGH BRAR, J. (ORAL)**

This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.112 dated 05.04.2024 (Annexure P-1) under Sections 363/366-A/120-B of
IPC (Sections 420/465/468 of IPC added later on) registered at Police Station
Goindwal Sahib, District Tarn Taran.

On 15.10.2024, the following order was passed:-

'Instant petition is preferred under Section 482 of BharatiyaNagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.112 dated 05.04.2024 under Sections 363, 366-A, 120-B of the Indian Penal Code, 1860 (for short 'IPC') (Sections 420, 465, 468 of IPC added later on), registered at Police Station Goindwal Sahib, District Tarn Taran.

Learned counsel for the petitioner, inter alia, contends that there is a delay of 02 days in registration of FIR (supra). Daughter of the complainant fell in love with the petitioner and their relationship was opposed to the complainant and thereafter, both of them approached learned Additional Sessions Judge, Tarn Taran and obtained protection vide order dated 09.04.2024. Further, date of birth of daughter of the complainant is also disputed. The petitioner is 20 years of age and is not involved in any other case.

Notice of motion for 18.11.2024.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021)***



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2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer and the petitioner shall co-operate in the investigation. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS/Section 438(2) of Cr.P.C.

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the same on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from ASI Ranjit Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 15.10.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482 (2) of BNSS (earlier 438(2) Cr.P.C.)

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

18.11.2024

Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No