



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

210

**CRM-M No.52679 of 2024
Date of decision: 09.12.2024**

AJIT SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr.Amandeep Singh Manaise, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case 210 dated 01.10.2024 registered under Sections 115(2), 117(2), 333, and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short- 'BNS'), at Police Station Islamabad, Police Commissionerate, District Amritsar.

2. Vide order dated 23.10.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 23.10.2024, passed by this Court, reads as under:

“The present petition has been filed by the petitioner for grant of anticipatory bail in case arising out of FIR No.210 dated 01.10.2024 registered under Sections 115(2), 117(2), 333, and 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short- 'BNS'), at Police Station Islamabad, Police Commissionerate, District Amritsar.



As per prosecution version, on 01.10.2024, the complainant-Ramesh Kumar got recorded his statement to the effect that on 09.08.2024, he was returning home at about 3.30 PM, when the petitioner who is living in his neighbourhood was found laying stones outside his house and in the street. When the complainant asked him not to do so, the petitioner tried to hit him with a shoe and on this, the complainant left that spot. Then on 12.08.2024 at about 9.30 AM, he was going towards his house and when he crossed the house of the petitioner, the petitioner extended threats to him and struck a fist blow on his left eye. The complainant went home and lied on the bed as he was having pain in the eye. At about 4.30 PM, the petitioner along with his son entered inside his house and while proclaiming that he should not be spared for stopping the petitioner from laying stones, they opened an assault upon him. Pankaj son of the petitioner struck a blow with the interlock tile which he was carrying, on the face of the complainant thereby injuring the right side of his nose. Thereafter, both of them took him outside his house and assaulted him. On raising rescue alarm, his family members came out and in the meanwhile the neighbourers also reached there and thereafter the assailants fled from spot. On the basis of his statement, aforementioned FIR has been registered. Investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre



arrest bail which had been dismissed by learned Additional Sessions Judge, Amritsar vide order dated 11.10.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. There is unexplained delay of 50 days in reporting the matter to the Police. The custodial interrogation of the petitioner is not required. All the offences except the offence under Section 333 of BNS are bailable in nature. Even the ingredients for commission of this offence are not made out. He is ready to join the investigation. No recovery is to be effected from his. Therefore, it is urged that the petition deserves to be allowed.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter while submitting that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

Adjourned to 06.12.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as



envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 29.10.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 23.10.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

09.12.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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