



CRM-M-53065-2024 (O&M)

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

102 + 210

CRM-M-53065-2024 (O&M)

Date of Decision : November 25, 2024

AMRITPAL SINGH AND OTHERS

-PETITIONERS

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K.S. Kahlon, Advocate
for the petitioners.

Mr. Anurag Chopra, Addl. A.G., Punjab with
Mr. Pardeep Bajaj, D.A.G., Punjab.

Mr. Inderjit Sharma, Advocate with
Ms. Khushboo Sharma, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)**CRM-45267-2024**

1. As prayed for, the instant application is **allowed**. Offence under Section 115(2), 118(1) and 117(2) of the B.N.S. shall also be read as a part of the offence, whereunder, the petitioner became granted interim bail vide order dated 24.10.2024, which is made absolute hereinafter.

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2. On 24.10.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioners seek the concession of anticipatory bail, in case FIR No.59 dated 26.09.2024, registered under Sections 109, 326(g), 190, 191(3), 332(b) of the B.N.S., at P.S. Purana Shalla, District Gurdaspur.



2. The learned counsel for the petitioners inter alia submits that, although the petitioners have been alleged to be the members of the unlawful assembly, besides them being alleged to have actively participated in causing injury(ies) to the complainant/victim, however, the injury(ies) attributed to them have been declared “simple in nature”.

3. Notice of motion for 25.11.2024.

4. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

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

3. Mr. Inderjit Sharma, Advocate, who records his appearance on behalf of the complainant, under a validly executed Vakalatnama instituted before this Court today, has opposed the grant of anticipatory bail to the petitioners.

4. The learned State counsel has filed a short reply, on affidavit of Dilpreet Singh, IPS, Assistant Superintendent of Police, Dinanagar, District Gurdaspur, which is taken on record. By referring to the contents of this short reply, the learned State counsel submits that: (i) no injury has been attributed to the petitioners No.1 and 3; and (ii) injury attributed to the petitioner No.2 has been declared “simple in nature”.

5. Moreover, on instructions imparted to him by S.I. Karishma, the learned State counsel has stated that pursuant to the making of the hereinabove reproduced order, the petitioners had joined investigation and they are no longer required for further custodial interrogation.



6. In view of the above, the hereinabove reproduced interim order dated 24.10.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

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

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

(iii) the petitioners shall make themselves available for interrogation by a police officer as and when required.”

7. This order should not be treated as “blanket” order. It will not be read granting petitioners 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.

8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, stand disposed of accordingly.

November 25, 2024
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(KULDEEP TIWARI)
JUDGE

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