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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53708-2024
Date of Decision:- 18.12.2024

AVTAR SINGH ...Petitioner
Vs.
STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Jitender Singh Dadwal, Advocate for the petitioner.
Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

1. Petitioner Avtar Singh has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.0046 dated 23.07.2024, under Sections 331(6), 115(2) & 3(5) of BNS, 2023, registered at Police Station Ajitwal, District Moga.
2. As per fact of the case, Surinder Singh alias Kaka Singh gave his statement that on 21.07.2024, he along with his wife Amandeep Kaur, son Amolpreet Singh and daughter were present at home. At about 9:00 PM, somebody knocked at the main gate of their house. Light was switched on in the courtyard and when he opened the main gate, Avtar Singh and Kartar Singh sons of Gurjant Singh were standing outside. Avtar Singh caught hold of him and Kartar Singh gave iron rod blow which he tried to ward off by



raising left arm, as a result, it hit on his left wrist. Kartar Singh gave another iron rod blow which hit on his right knee. Kartar Singh gave third blow which hit on his left shoulder and right elbow. Avtar Singh pushed him, as a result he fell down who gave axe blow from reverse side which hit on the back of his head. He raised alarm for help. Other family members and people started gathering there. On this, the assailants ran away from the spot with their respective weapons.

3. On filing of present anticipatory bail petition, status report was called thereafter he was granted interim relief to join investigation and accordingly his arrest was stayed vide order dated 09.12.2024.

4. Learned counsel for petitioner argued that there is delay of 2 days in lodging the FIR. Kartar Singh has been granted anticipatory bail in this case. In pursuance of aforesaid order, petitioner has already joined the investigation and fully cooperated. Alleged weapon of offence i.e. iron axe has already been recovered. He is still ready to abide by the terms of bail order. Therefore, his anticipatory bail petition may be allowed.

5. Learned counsel representing State opposed the bail petition. Status report is already filed. However, it is confirmed that petitioner has joined the investigation and weapon of offence is also recovered.

6. I have considered the aforesaid arguments and have gone through the record. It is not disputed that present petitioner has joined investigation. Alleged weapon of offence is already recovered. Therefore, no purpose would be served by sending the petitioner behind the bars. Accordingly, anticipatory bail petition filed by petitioner – Avtar Singh is allowed. He be not arrested. In case of his arrest, he be released on bail to



the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 482(2) BNSS.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

18.12.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No