



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210 CRM-M-53937 of 2024
DATE OF DECISION :- 21.11.2024

Sahibpreet Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr.Gagandeep S. Simble, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

Mr. Ritesh Pandey, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 293 dated 26.10.2023 registered for offences punishable under Sections 354,354-A,323,324,341,506,148,149 IPC (Section 326 IPC added later on) at Police Station Civil Lines, Batala, District Gurdaspur.

2. On 28.10.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 293 dated 26.10.2023 registered for offences punishable under Sections 354,354-A,323,324,341,506,148,149 IPC (Section 326 IPC added later on) at Police Station Civil Lines, Batala, Police District Batala; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter alia contends that the petitioner was implicated into the FIR in question on account of a misunderstanding which now



stands resolved by way of compromise between the parties. A compromise quashing petition (CRM-M-26737-2024) has also been preferred before the Court which is pending adjudication before this Court wherein the parties have made their statements qua the factum of compromise & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Adjourned to 21.11.2024.

To be heard along with CRM-M-26737-2024.

The petitioner is directed to appear before the Investigating Officer on 04.11.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from ASI Gurdev Singh, has stated that pursuant to the order dated 28.10.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the complainant has opposed the grant of anticipatory bail to the petitioner by arguing that the interim anticipatory bail was granted to the petitioner vide order dated 28.10.2024 since a compromise had reached at between the parties which has now not subsisting. Learned counsel for the complainant has further iterated that there are serious allegations against the petitioner and hence he ought not be extended the concession of anticipatory bail.

5. Having heard learned counsel for the parties and upon perusal of the record, it is clearly decipherable that the order dated 28.10.2024 was



passed on the basis of the contentions raised by learned counsel for the petitioner including the factum of compromise having been arrived at between the parties. Even if such compromise have now feasted out the yet the petitioner cannot be declined the concession of anticipatory bail especially when the petitioner has joined the investigation and State is not requiring custodial interrogation of the petitioner. Accordingly, the present petition stands allowed and the interim order dated 28.10.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner 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.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

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

(SUMEET GOEL)
JUDGE

21.11.2024
P.Singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No