



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222 CRM-M-54666 of 2024
DATE OF DECISION :- 03.12.2024

Dilpreet Singh ...Petitioner

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Anurag Arora, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Vipin Kumar Sharma, Advocate
for complainant-respondent No. 2.

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. 0101 dated 23.09.2024 registered for offences punishable under Sections 74,75,79,115(2),3(5) of BNS, 2023 at Police Station Division 4, District Police Commissionerate, Jalandhar.

2. On 04.11.2024, the following order was passed:-

“At the outset, learned counsel for the petitioner states that, due to inadvertence, the complainant could not be impleaded as a party-respondent. On his request, the complainant-respondent is directed to be impleaded as party-respondent No. 2. The details of the complainant-respondent No. 2 are as under :-

“Mehtab wife of Sardar, resident of House Number 277, Street Number 1, Green Avenue, Kala Sanghia Road, Jalandhar.”



The Registry is directed to carry out requisite correction in the memo of parties.

Apprehending his arrest in FIR No. 0101 dated 23.09.2024 registered for offences punishable under Sections 74,75,79,115(2),3(5) of BNS, 2023 at Police Station Division 4, District Police Commissionerate; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail. Inter alia contends that the case in hand is one of version and cross version, the petitioner has been falsely implicated into the FIR in question & 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 07.11.2024.

The petitioner is directed to appear before the Investigating Officer on 28.11.2024 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 Inspector Surjit Singh, has stated that pursuant to the order dated 04.11.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for complainant-respondent No. 2 has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations made against the petitioner are serious in nature and hence anticipatory bail ought not to be granted to the petitioner. Learned counsel for the



concession of anticipatory bail there is every likelihood that he may threaten the witnesses and also try to intimidate the complainant.

5. Keeping in view the entirety of facts and circumstances of the case, especially the factum of petitioner having joined investigation and not being required for custodial interrogation, the present petition stands allowed and the interim order dated 04.11.2024 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

03.12.2024
P.Singh

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