



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRA-S-3586-2024
Date of decision: 26.11.2024

LAKHMIR SINGH
Versus
....Petitioner

STATE OF PUNJAB AND ANR
...Respondents

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Hakam Singh, Advocate
for the petitioner.

Ms. Seena Sandhu, Additional, AG Punjab.

Mr. Gursewak Singh, Advocate for respondent No.2.

SANJIV BERRY. J.(Oral)

1. Status report dated 25.11.2024 filed in the form of an affidavit of Deputy Supertindent of Police, City-II, District Patiala, on behalf of respondent-State is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Learned counsel for the petitioner has submitted that in compliance to the order dated 06.11.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.
4. Learned counsel appearing on behalf of respondent No.2, however, has opposed the bail application of the petitioner and submits that the petitioner



- 2-

has committed a heinous crime and is not entitled for the grant of anticipatory bail.

5. Heard.

6. During the course of hearing on 06.11.2024, the following order was passed:-

“ CRM-43764-2024

Keeping in view the averments made in the application preferred under Section 528 of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), exemption from filing the certified/typed copies of the impugned order dated 25.10.2024 is allowed.

2. Registry to tag the same at appropriate place.

3. Disposed of.

Main case Heard.

2. It is, inter alia, contended by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He contends that even as per the allegations alleged occurrence took place on telephone and not in public view in any manner, as such, attraction of offences under the SCs & STs Act is debatable. He contends that in fact the dispute between the appellant and the complainant was regarding money transaction and the complainant in connivance with the police officials got a false case registered just to harass the appellant. He contends that the appellant is not having any other criminal case registered. Hence, the instant appeal.

3. Notice of motion.

4. On the asking of the Court, Mr. Adesh Pal Singh, AAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions received from ASI Bhupinder Singh, has submitted that the case has been registered on the basis of telephonic conversation between the parties. He prays for time to file the status report/reply in the matter.

5. Adjourned to 26.11.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the appellant is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to



be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).

8. Notice to respondent No. 2 be issued through Registry of this Court for the date fixed.

9. Process dasti as well ”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 06.11.2024 passed by this Court, interim bail granted vide order dated 06.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
8. The petition stands allowed.

26.11.2024		(SANJIV BERRY)
amandeep		JUDGE
Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No