



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

CRM-M-55458-2024

Date of Decision : 04.12.2024

GURCHARAN SINGH

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Harbir Singh Sandhu, Advocate,
for the petitioner(s).

Ms. Majot Kaur, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 08.11.2024, 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 petitioner seeks the concession of anticipatory bail, in case FIR No.81 dated 31.07.2024, under Sections 109, 333, 118, 115, 351(2), 324, 191(3), 190 of the B.N.S., 2023, and, Section 25/27 of the Arms Act, 1959, registered at P.S. Zira, District Ferozepur.

2. The learned counsel for the petitioner inter alia submits that, although the petitioner has been named in the FIR and has been alleged to be armed with a 12 bore gun, however, no overt act or injury has been attributed to him. Moreover, the injury(ies) suffered by the complainant have been declared “simple in nature”.

3. The learned counsel for the petitioner also submits that, the petitioner is on a co-equal pedestal as his co-accused Davinder Singh @ Davinderpal Singh, Gurbir Singh and Gurbhej Singh, who have already been granted the relief of interim bail by this Court, vide the orders respectively embodied in Annexures P-3 to P-5.

4. Notice of motion.

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

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

7. List on 27.11.2024, along with CRM-M-50135-2024.”

2. Today, learned State counsel, has also filed a short reply, dated 26.11.2024, by way of an affidavit of Sh.Gurdeep Singh, DSP, Sub Division, Zira, in court, which is ordered to be taken on record.

3. She further, on instructions imparted to her by the police official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

4. In view of the above, the hereinabove extracted interim order dated 08.11.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

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

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

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.

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

7. All pending application(s), if any, also stand **disposed** of accordingly.

December 04, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

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