



206

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58446-2024

Date of decision: 16.12.2024

Liakat Ali and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Nippun Sharma, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Mukesh Mehra, Advocate
for respondent No.2.**HARPREET SINGH BRAR, J. (ORAL)**

This petition has been filed under Section 482 B.N.S.S. seeking anticipatory bail in case bearing FIR No.212 dated 09.10.2024 (Annexure P-1) under Sections 115(2)/118(1)/191(3)/190/351(1)/76 of IPC registered at Police Station Sadar Jalandhar, District Jalandhar Punjab.

On 22.11.2024, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.212 dated 09.10.2024 under Sections 115(2), 118(1), 191(3), 190, 351(1), 76 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Sadar Jalandhar, District Jalandhar.

Learned counsel for the petitioners, inter alia, contends that an altercation took place between the petitioners side and the complainant side over grazing of cattles. The petitioners and the complainant are related to each other and are living in the vicinity. None of the injuries suffered by the complainant is grievous in nature. The maximum sentence provided for the offences, under which the FIR (supra) is registered, is upto 07 years. It is further contended that with the intervention of common relatives and respectables of the area, a compromise dated 08.11.2024 (Annexure P-4) has been effected between the parties.

Notice of motion.

At this stage, Mr. Mukesh Mehra, Advocate appears on behalf of respondent No.2 and files his Vakalatnama, which is taken on



CRM-M-58446-2024

-2-

record. Registry is directed to tag the same at the appropriate place of the case file. He submits that respondent No.2 has no objection, in case the petitioners are granted the concession of anticipatory bail.

Adjourned to 16.12.2024.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273**, **Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427**, **Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51**, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375** and **Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, the petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer and they will co-operate in the investigation. The petitioners will cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the same on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from ASI Harjit Singh, at the very outset informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 22.11.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482 (2) of BNSS (earlier 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

16.12.2024

Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No