

225-CRM-M-58898-2024

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-58898-2024
Date of decision: 09.12.2024

Gurmeet Singh @ Nikka SinghPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. B.S. Singhvi, Advocate,
for Mr. Talwinder Singh, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

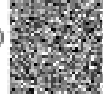
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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
69	23.05.2023	186, 332, 353, 379-B, 148 and 149 IPC (201 IPC added lateron)	Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib

2. Learned counsel for the petitioner submits that in compliance to the order dated 26.11.2024, the petitioner has joined the investigation.
3. During the course of hearing on 26.11.2024, following order has been passed: -

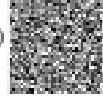


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‘2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has no concern with the alleged transaction and, being innocent, has been falsely implicated in this case by the complainant who himself happens to be a police official. He contends that no specific overt act is attributed the petitioner. He contends that although the name of the petitioner is mentioned in the FIR but he is not the resident of village Kanianwali, as mentioned in the FIR, and in fact he was not present at the spot as the petitioner belongs to the village Mukand Singh Wala. He contends that even the petitioner is not having any criminal antecedents and the co-accused have also been granted anticipatory bail vide orders dated 07.10.2023, passed in CRM-M-31488-2023 and connected matters, titled as ‘Gora Singh @ Gura Singh vs State of Punjab’; dated 16.02.2024 passed in CRM-M-59826-2023, titled as ‘Gurlal Singh vs. State of Punjab’; dated 08.11.2024 passed in CRM-M-47265-2024, titled as ‘Sandeep Singh @ Seepu and another vs. State of Punjab’ and dated 08.11.2024 passed in CRM-M-47026-2024, titled as ‘Bittu Singh vs State of Punjab’ (Annexures P-6 to P-9). Hence, the present petition.

3. Notice of motion.

4. On the asking of the Court, Ms. Seena Sandhu, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Balwant Singh, admits the fact that name of the petitioner is mentioned in the FIR, as the resident of Village Kanianwali. She also submits that injuries attributed to the petitioner are simple in nature and no specific overt act is attributed to the petitioner. She prays for time to file the status report/reply in the matter.

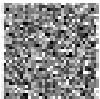


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5. *Adjourned to 09.12.2024.*
6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*
7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event 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).'*

4. Learned State counsel, on instructions received from Balwant Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 26.11.2024 passed by this Court, interim bail granted vide order dated 26.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (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.



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- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.12.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |