

224-CRM-M-754-2025

- 1 -2025.PHHC.009337

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-754-2025
Date of decision: 22.01.2025

Avinash Kumar

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Arvinder Singh Khosa, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

.....

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
543	06.12.2024	109, 115(2), 126(2), 351(2), 3(5) of the BNS	Zirakpur, District SAS Nagar Mohali.

2. Learned counsel for the petitioner submits that in compliance to the order dated 10.01.2025, the petitioner has joined the investigation.

3. During the course of hearing on 10.01.2025, following order has been passed: -

‘It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has



been falsely implicated in this case by the complainant. He contends that no specific overt act is attributed to the petitioner nor the petitioner has caused any injury to the victim. He contends that the petitioner is not having any other criminal antecedents. Hence, the instant petition.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Birendra Singh, admits that the injury is attributed to the co-accused, Krishna @ Chundi. However, he prays for time to file the status report/reply in the matter.*

5. *Adjourned to 22.01.2025.*

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 ASI Barinder Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.



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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 10.01.2025 passed by this Court, interim bail granted vide order dated 10.01.2025 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.

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.

(SANJIV BERRY)
JUDGE

22.01.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |