



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M No.1935 of 2025
Date of decision: 15.02.2025

ARUN KUMAR

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.199, dated 21.08.2024, registered under Sections 109(2), 115(2), 118(1), 126(2), 3(5), 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 115, 117(2) and 118(2) of BNS added later on), at Police Station Rama Mandi, District Jalandhar.

2. Vide order dated 16.01.2025 passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 16.01.2025, passed by this Court, reads as under:

“Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks anticipatry bail in case FIR No.199, dated 21.08.2024, registered under Sections 109(2), 115(2), 118(1), 126(2), 3(5), 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short



'BNS') (Sections 115, 117(2) and 118(2) of BNS added later on) at Police Station Rama Mandi, District Jalandhar.

As per prosecution case, the aforementioned FIR has been registered on the basis of the statement got recorded by complainant Akashdeep Singh on 21.08.2024 alleging therein that on the night of 19.08.2024, accused Janu and the present petitioner had intercepted him while he was riding an activa vehicle. They had pulled the key of his vehicle and had opened assault upon him. Accused Janu struck a blow with a Gandasi, thereby injuring his left hand. He has been hit by the present petitioner with a baseball. They had come in a car. The present petitioner and co-accused Sunny had then alighted from the said car and the present petitioner struck a blow on the back of the complainant with a baseball, whereas a blow with a datar was given by co-accused Sunny. Thereafter, they started extending beatings to him. His sisters were attracted at the spot on hearing clamour and reached there to save the complainant and then the assailants fled away. The motive attributed to the assailants was that some days back, they had misbehaved with the sister of the complainant, while she was going on an Activa vehicle and the complainant had stopped them from doing so. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of



learned Additional Sessions Judge, Jalandhar but the same has been dismissed, vide order dated 12.09.2024.

It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is delay of two days in reporting the matter to the police, which has created a serious dent in the story of the complainant. The petitioner was not present at the spot at the time of occurrence and has been implicated in this case due to political pressure being exerted by the complainant. The injury that has been attributed to the petitioner and has found on the person of the victim are opined to be simple in nature. He is ready to join the investigation. No recovery is to be effected from him. His custodial interrogation is not required. No useful purpose would be served by detaining the petitioner into custody. Hence, it is urged that he deserves to be extended benefit of anticipatory bail.

Notice of motion.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 15.02.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall



also abide by the conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.”

3. Status report dated 14.02.2025 filed on behalf of the respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 01.02.2025 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 16.01.2025 granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

15.02.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No