

212

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22511-2025

Date of Decision:13.05.2025

Inder Singh and another

...Petitioners

vs.

State of Punjab

...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Samay Singh Sandhawalia, Advocate, for the petitioners.

Mr. I.P.S. Sabharwal, DAG, Punjab.

Mr. A.S.Sekhon, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to them in case FIR No.38 dated 24.06.2024 and GD No.34 dated 25.06.2024, registered under Sections 307, 447, 148, 149, 506 of IPC and Sections 25, 27, 54, 59 of Arms Act, at Police Station Sadiq, Faridkot.
2. While granting the concession of interim anticipatory bail on 29.04.2025, the following order was passed by a co-ordinate Bench of this Court:-

Anticipatory bail under Section 482 of BNSS			
FIR/DDR No.	Dated	Police Station	Sections
38	24.06.2024	Sadiq, Faridkot	307, 447, 148, 149, 506 IPC and Sections 25/27/54/59 of Arms Act
34	25.06.2024	Sadiq, Faridkot	307, 447, 148, 149, 506 IPC and Sections 25/27/54/59 of Arms Act

Counsel for the petitioner prays for interim stay on petitioners' arrest as petitioner No.1 is 81 years old and petitioner No.2 is a woman.

Notice served upon the official respondent through the State's counsel.

Power of Attorney on behalf of the complainant is taken on record. The Senior Most Investigator conducting the investigation in the FIR captioned above is to file/hand over the status report/instructions positively before the next date, failing which the concerned Superintendent of Police or an equivalent or higher Police Officer shall file/hand over their Reply/ Response/ Instructions/ Status report by the extended date, and if it is still not filed, the concerned Inspector General of police shall have to file it.

The Reply/Response/Instructions/Status report shall also mention the following details under headings:

- A. Medico-Legal Certificate of the victim(s).*
- B. Victim's current medical condition.*
- C. The time for which the victim(s) remained in the hospital.*
- D. Weapon(s) used.*
- E. Weapon and injuries attributed to the petitioners.*
- F. The evidence based on which the petitioners was arraigned as an accused.*
- G. The evidence against the petitioners.*
- H. The role of the petitioners.*
- I. In case of dismissal of this petition, would the police arrest the petitioners in this FIR, and do they need the accused's police custody?*
- J. Petitioners' criminal antecedents, except the FIRs in which petitioners were absolved, discharged, or acquitted.*

List on 13.05.2025.

Since petitioner No.1 is 81 years old and petitioner No.2 is a woman, as such their arrest shall remain stayed in the FIR captioned above till further orders. ”

3. Learned counsel for the petitioners has reiterated the submissions and further submits that the petitioners have joined the investigation and their custodial interrogation may not be required.

4. Learned State counsel has filed the status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Faridkot, District Faridkot and the same is taken on record. He also submits that the petitioners have joined the investigation and are no longer required for further investigation.

5. On the other hand, learned counsel appearing on behalf of the complainant has vehemently opposed the submissions made by learned counsel for the petitioners.

6. In view of the statement made by learned counsel for the parties, the present petition is allowed and the interim order dated 29.04.2025 passed by a Co-ordinate Bench of this Court is made absolute. The petitioners shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

(N.S.SHEKHAWAT)
JUDGE

13.05.2025
hemlata

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