



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-38924-2024 (O&M)

Date of decision: 15.01.2025

BALRAJ SINGH

....PETITIONER

Versus

STATE OF HARYANA

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Manpreet Singh Dua, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. V.P. Malik, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
237	04.07.2024	420, 406, 120-B of IPC	Ambala City, District Ambala.

2. Status report dated 14.01.2025 in the form of an affidavit of Superintendent of Police, Ambala, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

3. There is an application moved by Superintendent of Police, Ambala, for exemption from personal appearance, which keeping in view the facts and circumstances is allowed.

4. Learned counsel for the petitioner submits that in compliance



CRM-M-38924-2024 (O&M)

2

to the order dated 05.11.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.11.2024.

5. Learned State counsel, on instructions from ASI Rajinder Kumar, Investigating Officer of the case, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

6. During the course of hearing on 05.11.2024, following order was passed:

“ It is inter alia contended by learned counsel for the petitioner that the petitioner had gone to the Police Station on 06.10.2024 to join the investigation in compliance to the order dated 30.09.2024 passed by this Court and met ASI Rajinder who refused to join him in the investigation. This plea is supported by the affidavits of Sukhbir Singh and Dharminder Kumar who had accompanied the petitioner on the said date.

2. He further contends that it was only on the intervention of the counsel representing the petitioner in the learned Trial Court that the petitioner was got released at about 11.00 P.M. late night from the Police Station, Ambala City.

3. The learned State counsel on instructions from Investigating Officer ASI Rajinder submit that the petitioner had come to join but he was not having any identity proof.

4. Be it the case. The concerned Superintendent of Police is directed to take appropriate legal action against the Investigating Officer Rajinder for intentionally disobeying the order of this Court dated 30.09.2024 in refusing to join the petitioner in investigation and submit the report qua the action taken by the adjourned date.



5. The concerned Superintendent of Police is also directed to preserve the CCTV footage of the Police Station of the said period and send the copy thereof to this Court along with his report

6. List on 04.12.2024.

7. In the meanwhile, petitioner is directed to again join the investigation within seven days from today by appearing himself before the SHO, P.S. Ambala City in compliance to the order dated 30.09.2024 passed by this Court 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 BNSS, 2023.

8. The concerned SHO and the Investigating Officer aforesaid are directed to remain present in Court along with record on that date.”

7. 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 05.11.2024 passed by this Court, interim bail granted vide order dated 05.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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.

8. The petition stands allowed.

9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.
10. Pending application(s), if any, also stand disposed of.

(SANJIV BERRY)
JUDGE

15.01.2025
kanika

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