



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-48225-2024 (O&M)
Date of Decision: 07.02.2025

AVTAR SINGH ALIAS TARIPetitioner
VERSUS
STATE OF PUNJABRespondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Chahat Bansal, Advocate for the petitioner.
Ms Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
402	31.08.2024	P.S. City Barnala, Barnala	333, 332(c),118(2), 118(1), 117(2), 115(2), 3(5) of BNS, 2023

2. Vide order dated 03.12.2024 passed by this Court, the petitioner was ordered to be released on interim bail and was directed to join investigation.
3. Learned State counsel submits that though the petitioner has joined the investigation on 12.09.2024, however, the recovery of weapon of offence i.e. iron screw driver has not been effected from him and therefore his custodial interrogation is required.
4. Keeping in view that the non-recovery of weapon of offence cannot be considered to be a ground for denying the benefit of



bail to the petitioner, the instant petition is allowed, and the petitioner is ordered to be admitted to anticipatory bail, subject to his appearing before the Arresting Officer/Investigating Officer as and when required, and furnishing personal and surety bonds to his satisfaction. He shall also comply with the following conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023:-

1. He shall appear before the Investigating Officer as and when called and submit all documents and details as may be called upon by the investigating officer.
2. He shall not tamper with the evidence or cause any threat or to any of the prosecution witnesses in any manner.
3. He shall regularly appear before the Court on every date of hearing as and when called upon to do so during the course of trial.
4. He shall not leave the country without prior permission of the trial Court.
5. On violation of any of the above conditions, the respondent will be entitled to seek cancellation of this order.
6. Nothing discussed above shall be construed to have any expression on merits of case.

07.02.2025

Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. | <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. | <i>Whether reportable</i> | <i>Yes/No</i> |