



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54857-2024
Date of decision: 31.01.2025

SANDEEP KUMARPETITIONER

Versus

STATE OF HARYANA AND ANOTHERRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Parveen Sharma, Advocate for
Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Bhupinder Singh Bairagi, Advocate
for the complainant.

SANJIV BERRY, J. (ORAL)

Status report dated 23.01.2025 in the form of an affidavit of Deputy Superintendent of Police, City, Panipat, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
155	01.07.2024	10 and 24 of Immigration Act and 406, 420, 506, 384, 328, 34 of IPC	City, Panipat.

3. Learned counsel for the petitioner submits that in compliance to the order dated 06.11.2024 passed by this Court, the petitioner has



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already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 06.11.2024.

4. Learned State counsel, on instructions from ASI Rajesh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

5. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioner.

6. During the course of hearing on 06.11.2024, following order was passed:

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern with the allegations levelled in the FIR nor he has received any amount from the complainant. He contends that in fact on the complaint filed by the complainant, the petitioner was called to police station and subjected to torture leading to him suffering serious injuries in his ear, as is evident from the MLR dated 16.05.2024 (Annexure P-7), regarding which he had already moved a complaint before the Superintendent of Police, Panipat, dated 20.05.2024 (Annexure P-8). He contends that just to save their skin, the police got another complaint from the same person and got the instant FIR registered. He further contends that the petitioner is having one more case registered against him under the provisions of Sections 406 and 506 IPC, but he is on bail therein. Hence, the instant petition.

3. Notice of motion.

4. On the asking of the Court, Ms. Gaganpreet Kaur, DAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.



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5. *Adjourned to 03.12.2024.*

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). ”*

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 06.11.2024 passed by this Court, interim bail granted vide order dated 06.11.2024 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.

31.01.2025

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

(SANJIV BERRY)
JUDGE

- Yes/No
- Yes/No