

**CRM-M-60220-2023(O&M)****1**

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

269**CRM-M-60220-2023(O&M)****Date of Decision: 07.05.2025**

Anterpreet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Ankur Bansal, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. C.S. Rana, Advocate for the complainant.

KIRTI SINGH, J. (Oral)**CRM-9745-2025**

The application is allowed as prayed for. Annexures P-5 to P-7 are taken on record.

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1. Apprehending arrest the petitioner has filed this petition under Section 438 of Cr.P.C. for grant of anticipatory bail in case bearing FIR No.57 dated 23.03.2023, under Sections 323, 341, 506 and 34 IPC (Sections 354 and 354-B IPC added lateron), registered at Police Station Salem Tabri, District Ludhiana.

2. This Court on 01.12.2023 while issuing notice of motion, directed the petitioner to join investigation and passed the following order:-

“ This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.57



dated 23.03.2023 under Sections 323, 341, 506, 34 of the Indian Penal Code, 1860 (IPC) and Sections 354, 354-B IPC (added later on) registered at Police Station Salem Tabri, District Ludhiana.

Learned counsel for the petitioner would contend that the incident alleged is dated 15.03.2023. On 16.03.2023 a complaint was given in which there were no allegations of molestation or inappropriate touching. Subsequently, the present FIR was registered on 23.03.2023 in which the only specific role attributed to the petitioner is that he raised a lalkara. The learned counsel would further contend that the injuries have not been attributed to the petitioner.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of the respondent-State of Punjab.

List on 11.03.2024.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned State counsel on instructions from ASI- Singara - Investigating Officer(s), submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation. The challan was presented on 23.07.2024 and charges were framed on 15.04.2025.

4. Learned counsel for the complainant has vehemently opposed the prayer made in the petition and submits that in view of serious allegations, petitioner is not entitled to concession of anticipatory bail.

5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 01.12.2023 passed by this Court, is hereby made absolute.

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6. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

8. The accused/petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.

9. The accused/petitioner shall not leave India without prior permission of the Court.

10. The accused/petitioner shall join the investigation as and when called by the police.

11. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

(KIRTI SINGH)
JUDGE

07.05.2025
Kapil

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No