



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

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**CRM-M No.60455 of 2024
Date of decision: 16.01.2025**

JAGSEER SINGH**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Dr. Rau P.S. Girwar, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.104 dated 23.07.2023 initially registered under Section 323, 324, 341, 427, 148 read with Section 149 of IPC, at Police Station Nathana, Bathinda (offence under Section 326 of IPC added later on vide GD No.26 dated 30.07.2024).

2. Vide order dated 04.12.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 04.12.2024, passed by this Court, reads as under:

“The petitioner is seeking benefit of pre-arrest bail in case arising out of FIR No.104 dated 23.07.2023 initially registered under Section 323, 324, 341, 427, 148 read with Section 149 of IPC on 23.07.2023, at Police Station Nathana, Bathinda (offence under Section 326 added later on vide GD No.26 dated 30.07.2024).



The aforementioned FIR has been registered on the basis of the allegations that the petitioner by forming membership of an unlawful assembly with the co-accused on 16.07.2023, had opened an assault upon the complainant-Nirmal Singh and had caused simple as well as grievous injuries to him. One of the injury which was on the little finger of the victim had been opined to be grievous on 30.07.2024.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in this case. No grievous injury had been attributed to him and he was alleged to have struck blows with a stick on the person of the victim but no corresponding injury had been found on the person of the victim as per the medico-legal report. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. The FIR has been lodged as a counter-blast to FIR No.48 dated 30.06.2021 lodged by the members of the family/party of the petitioner at Police Station Balianwali, Bathinda. Therefore, it is urged that the petitioner deserves to be granted concession of pre-arrest bail.

Learned State counsel has advanced notice of the petition and seeks time to file status report while arguing that there are serious allegations against the petitioner.

Adjourned to 16.01.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one

week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of the BNSS.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 09.12.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 04.12.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

16.01.2025

Jyoti-IV

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned:

Whether reportable :

Yes/No.

Yes/No