

CRM-M-60893 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-60893 of 2024
Date of Decision:17.01.2025

Joban and another

....Petitioners

Versus

State of Punjab

.....Respondents

CORAM: HON’BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manoj R. Sharma, Advocate,
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA , J. (Oral)

1. The present petition has been filed under Section 482 of BNSS seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
0293	31.10.2024	Civil Lines Batala, Police District Batala, District Gurdaspur	115(2)/118(1)/333/3(5) of BNS and Section 117(2) of BNS added later on

2. Vide order dated 04.12.2024 passed by this Court, the petitioners were released on interim bail and were directed to join investigation. Order dated 04.12.2024 is reproduced as under:-

“Through the instant petition, prayer is made for grant of anticipatory bail to the petitioners in case arising out of FIR No.0293 dated 31.10.2024, under Sections 115(2)/118(1)/333/



3(5) of Bharatiya Nyaya Sanhita, 2023 and 117(2) added later on registered at Police Station Civil Lines Batala, Police district Batala District Gurdaspur.

As per the allegations, the aforementioned FIR was registered on the basis of statement recorded by complainant Sajan alleging therein that on 02.10.2024, the petitioners along with coaccused had assaulted father of the complainant namely Sat Pal and had also caused injuries to the complainant by respective weapons which they were carrying. Apprehending their arrest, the petitioners had moved an application for grant of anticipatory bail which has been dismissed by Court of learned Sessions Judge, Gurdaspur vide order dated 26.11.2024.

It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. There is delay of 29 days in lodging of the FIR which has remained unexplained. It is a case of version and cross version and infact the complainant party was aggressor party. They are ready to join the investigation. Their custodial interrogation is not required. Above said offences are bailable in nature except offence under Section 333 of IPC. No recovery is to be effected from them. Therefore, the petition deserves to be allowed.

Notice of motion.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 17.01.2025.

In the meantime, the petitioners are 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 their arrest, the

