



CRM-M-60856-2024

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

(201)

CRM-M-60856-2024

Date of Decision : 14.01.2025

Harpreet Lal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sumit Dua, Advocate for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. Prashant Bansal, Advocate for the complainant.

KULDEEP TIWARI, J.(ORAL)

1. At the very outset, learned counsel for the State, informs this Court that offence under Section 326 IPC, was added later on during the investigation, in the FIR No.209 dated 06.12.2022, whereby, the petitioner has been granted the concession of interim bail by this Court, vide order dated 04.12.2024.

2. Faced with the above difficulty, learned counsel for the petitioner has made an oral request for addition of Section 326 IPC, in the order dated 04.12.2024, beside Sections 307, 323, 324, 452, 148 and 149 of the IPC, as well as in the details of the FIR, head note, contents of the petition as well as in the prayer clause of the petition.

3. The oral request so made by the learned counsel for the petitioner is accepted. Accordingly, the order dated 04.12.2024, passed by this Court, is ordered to be modified, to the extent of addition of Section 326 of the IPC, beside Sections 307, 323, 324, 452, 148 and 149 of the IPC. The Registry is



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directed to carry out the necessary corrections accordingly.

4. On 04.12.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR no.209, dated 06.12.2022 (Annexure P-1), under Sections 307, 323, 324, 326, 452, 148 and 149 of the IPC, registered at Police Station Division 7, District Jalandhar. Learned counsel for the petitioner in asking for the relief (supra) submits that no injury, whatsoever, is attributed to the present petitioner.

He further submits that the matter has now been amicably settled with the complainant/victim.

He finally submits that the co-accused of the present petitioners have been granted the relief of anticipatory bail by this Court vide orders annexed as Annexures P-3 and P-4.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab., accepts notice on behalf of respondent-State, and waives service. At this stage, Mr. Prashant Bansal, Advocate, has caused appearance on behalf of the complainant, through a memo of appearance, and undertakes to file a validly executed power of attorney in his favour within 15 days from today, with the Registry of this Court.

He also admits the factum of compromise between the petitioner and the complainant.

Adjourned to 14.01.2025.

In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the



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Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023. ”

5. Today, the learned State counsel on instructions imparted to him by ASI Gurdev Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

6. In view of the above, the hereinabove extracted interim order dated 04.12.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;*
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;*
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”*

7. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.

8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

January 14, 2025
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No