

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-61865-2024
Date of decision: 12.03.2025

ROHITPETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Mr. Madan Sandhu, Advocate
for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
102	22.10.2024	326 (g), 326 (f), 351 (1), 115 (2) of BNS	Sadar Phagwara, District Kapurthala.

2. Learned counsel for the petitioner submits that in compliance to the order dated 23.01.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 23.01.2025.
3. Learned State counsel, on instructions from ASI Balbir Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial



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

5. During the course of hearing on 23.01.2025, following order was passed:

“ *Heard.*

2. *It is, inter alia, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he is not having any criminal antecedents. He further contends that the allegations concocted by the complainant are baseless and are not plausible that a person would set someone's property on fire and then come again after some time along with his father to cause injury to the complainant. In fact, the altercation had taken place between the complainant and the family of the petitioner wherein his mother and sisters namely Sukhwinder Kaur, Seema and Preeti respectively have sustained multiple injuries qua which the cross version vide G.D. No.20 on 13.12.2024 had been registered and the complainant in order to save himself had got registered the instant FIR on flimsy grounds. He further contends that no specific overt act is attributed to the petitioner and the alleged injury sustained by the complainant is also simple in nature. Hence, prays for grant of anticipatory bail.*

3. *Per contra, learned State counsel, on instructions from ASI Binder Kumar, Investigating Officer of the case, who is present in Court today, has not disputed the fact that there is only one injury sustained by the complainant, which is simple in nature and with blunt weapon. He has admitted the factum of cross-version being registered (supra).*

4. *Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of*

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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 BNSS, 2023.

5. List on 07.02.2025.”

6. 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 23.01.2025 passed by this Court, interim bail granted vide order dated 23.01.2025 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.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

12.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |