



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

CRM-M-62597-2024

Date of decision: 16.01.2025

JATINDER KUMAR

....PETITIONER

Versus

STATE OF PUNJAB

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
252	21.11.2024	132, 221, 351, 3(1), 285 of BNS, 2023	Sadar Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 12.12.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 12.12.2024.

3. Learned State counsel, on instructions from ASI Jatinder Singh, intimates the Court that the petitioner has joined investigation on 16.12.2024 and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 12.12.2024, following order was passed:



“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that no man-handling had ever took place, as has been alleged in the FIR.

3. Learned counsel for the petitioner further contends that even the FIR has been got registered after 04 days of the alleged occurrence and that too by a person who was not present there at the spot nor is there any complaint given by the official. He further contends that fortunately the petitioner is having the video capture of the occurrence wherein, it is evident that there had not been any manhandling as has been alleged.

4. Notice of motion.

5. On the asking of the Court, Mr. Ankit Grewal, DAG Punjab., present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter. Learned State counsel on instructions from ASI Jitender Singh present in Court admit that no alleged occurrence took place with ASI Shingara Singh, complainant of the case and on being shown the video clip by learned counsel for the petitioner it is admitted by ASI present in Court that no man-handling had been there in the occurrence.

6. Adjourned to 16.01.2025.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of 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”

5. 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 12.12.2024 passed by this Court, interim bail granted vide order dated 12.12.2024 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.

6. The petition stands allowed.
7. 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

16.01.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |