

233-CRM-M-62936-2024

2025:PHHC:008456



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-62936-2024
Date of decision: 21.01.2025

Kuldeep SinghPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Angrej Singh Sarwara, Advocate,
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Reply dated 20.01.2025, filed in the form of affidavit of Deputy Superintendent of Police, Sub Division, Barnala, on behalf of State-respondent, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
439	04.10.2024	111(1), 125, 351(1), 191(3), 190 of BNS (336, 506, 148 and 149 IPC) 25 of the Arms Act and 21 of the NDPS Act	City Barnala

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3. Learned counsel for the petitioner submits that in compliance to the order dated 16.12.2024, the petitioner has joined the investigation.

4. During the course of hearing on 16.12.2024, following order has been 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 on the basis of secret information. He contends that no specific overt act is attributed to the petitioner. He contends that although two more cases were registered against the petitioner but he is on bail therein. He contends that the petitioner has no concern with the present occurrence nor the co-accused arrested in this case have stated anything against the petitioner till date. Hence, the instant petition seeking anticipatory bail.

3. Notice of motion.

4. On the asking of the Court, Mr. Rajinder Singh Bhatta, 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.

5. Adjourned to 21.01.2025.

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

7. 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

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*conditions as envisaged under Section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).'*

5. Learned State counsel on instructions received from ASI Sarabjit Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 16.12.2024 passed by this Court, interim bail granted vide order dated 16.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). 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.

21.01.2025
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(SANJIV BERRY)
JUDGE

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