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CRM-M-63702-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63702-2024 (O&M)

Date of Decision: 09.01.2025

GURDAS SINGH

.. Petitioner

Vs.

STATE OF PUNJAB AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Dhruvwinder Brar, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

Mr. Neeraj Januha, Advocate
for respondent No.2.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.0062 dated 07.05.2024, under Sections 354, 341, 323 and 506 of IPC registered at Police Station Talwandi Sabo, District Bathinda.

2. On 18.12.2024, the following order was passed:-

“Apprehending his arrest in FIR No. 0062 dated 07.05.2024 registered for offences punishable under Sections 354, 341, 323, 506 of IPC at Police Station Talwandi Sabo, District Bathinda; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter-alia contends that the FIR in question was registered by the complainant on account of a misunderstanding, the said misunderstanding has now been resolved and a compromise has also been entered into between the parties (Affidavit/statement of complainant has been appended as Annexure P-2 with the instant petition) & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Neeraj Januha, Advocate has filed vakalatnama for respondent No. 2. The same be taken on record.

Learned counsel for respondent No. 2 has ratified the veracity of the affidavit/statement (Annexure P-2).

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Adjourned to 09.01.2025.

The petitioner is directed to appear before the Investigating Officer on 21.12.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.”

3. Learned State counsel, on instructions from SI Parbat Singh, has stated that pursuant to the order dated 18.12.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 18.12.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS, 2023.
5. This order should not be treated as “blanket” order. It will not be interpreted as granting petitioner 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.
6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) BNSS, 2023 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending applications, if any, shall also stand disposed off.

09.01.2025*Jasmine Kaur***(SUMEET GOEL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes No
Yes No