



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

213

CRM-M No.65198 of 2024  
Date of decision: 27.01.2025

**DILBAGH SINGH**

.... Petitioner

**Versus****STATE OF PUNJAB**

.... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Ms. Amarjot Kaur, Advocate for  
Mr. Sukhbir Maandi, Advocate for the petitioner.

Ms. Himani Arora, A.A.G, Punjab.

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**MANISHA BATRA, J. (oral)**

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.5 dated 16.01.2023 (Annexure P-1) under Sections 326, 324, 323, 506, 148, 149 of Indian Penal Code, 1860 (for short 'IPC') (offence under Sections 452, 307 and 308 IPC added later on) registered at Police Station Harike, District Tarn Taran..

2. Vide order dated 23.12.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 23.12.2024, passed by this Court, reads as under:

*"1. The petitioner, through instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is seeking anticipatory bail in FIR No.5 dated 16.01.2023 (Annexure P-1) under Sections 326, 324, 323, 506, 148, 149 of Indian Penal Code, 1860 (for short 'IPC') (offence*



*under Sections 452, 307 and 308 IPC added later on) registered at Police Station Harike, District Tarn Taran.*

2. *Learned counsel for the petitioner inter alia contends that in the FIR, 11 persons were named and police during investigation has found 8 persons innocent. The petitioner is less than 18 years of age, thus, he is a juvenile. The declaration of 8 persons innocent during investigation proves that story cooked by complainant is false or it was the Investigating Officer who at the first instance advised the complainant to prepare that kind of story and thereafter during investigation declared 8 persons innocent.*

3. *Notice of motion returnable for 27.01.2025.*

4. *Mr. S.S. Hira, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service. He seeks time to file status report.*

5. *This Court has time and again noticed that at the first instance a number of persons are implicated and within few days most of them are declared innocent. The same set of story is prepared in every FIR especially when there is allegation of causing physical injury. This aspects needs to be examined.*

6. *In the meantime, at the first instance, the petitioner is directed to appear before the Investigating Officer on 26.12.2024 and thereafter as directed by the Investigating Officer. In the*



*event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of Investigating/Arresting Officer subject to the conditions provided under Section 482(2) of BNSS. The petitioner shall cooperate the Investigating Officer.*

7. *If the Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the learned Illaqa Magistrate who would then summon the Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.”*

3. Status report dated 26.01.2025 filed on behalf of respondent-State is taken on record.

4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.01.2025 and he is not required for custodial interrogation.

5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 23.12.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

(MANISHA BATRA)  
JUDGE

27.01.2025  
Jyoti-IV

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