



CRM-M-65146-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65146-2024 (O&M)

Date of Decision: 27.03.2025

ROHIT KUMAR @ CHINTU

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ashir Gulati, Advocate for the petitioner.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab.

None for the complainant.

...

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.0188 dated 3.11.2024 registered under Sections 115(2), 118(1), 351(2), 351(3), 3(5) of BNS, 2023 at Police Station Salem Tabri, District Ludhiana.

2. On 20.12.2024, the following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.0188 dated 3.11.2024 registered under Sections 115(2), 118(1), 351(2), 351(3), 3(5) of BNS, 2023 at Police Station Salem Tabri, District Ludhiana.

Counsel for the petitioner, while referring to orders Annexures P-3 and P-4, whereby the learned trial Court granted regular bail to co-accused-Arvinderjit Singh and Atula, submits that all the injuries on the person of the complainant were found to be simple in nature and the offences are triable by the Court of Judicial Magistrate, 1st Class. It is further submitted that no specific injury is attributed to the petitioner and the petitioner is ready to join investigation with the police.

Notice of motion.

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Mr. Inderjeet Singh Ladher, DAG, Punjab accepts notice on behalf of the State and submits that the petitioner, who is named in the FIR, is required by the police for proper investigation of the accused. However, the State counsel has not disputed the fact that the trial Court while granting bail to the co-accused, has clearly observed that as per police record, all the injuries on the person of the complainant have been declared simple in nature.

Now be listed on 19.2.2025.

In the meantime, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 482 (2) of BNSS.”

3. Thereafter, on 19.02.2025, the following order was passed by this Court:

“Counsel appearing on behalf of the petitioner has brought to the notice of this Court that in light of previous order, petitioner has joined investigation.

State counsel on instructions from Inspector Bitan Kumar has not refuted the aforesaid assertions made by the counsel for the petitioner and further submits that the petitioner is no longer required by the police for purpose of further investigation.

Counsel appearing for the complainant prays for time to argue the matter with regard to nature of the injuries caused by the present petitioner who was stated to be armed with datar at the time of the occurrence.

Now be listed on 27.3.2025.

Interim order to continue.

In the meantime, State counsel is directed to seek proper instructions with regard to nature of the injuries suffered by complainant-Sonu.”

4. Learned State counsel, on instructions from ASI Shingara Singh, has stated that pursuant to the order dated 20.12.2024, the petitioner has joined investigation and is no longer required for custodial interrogation. It has been further brought forth that the challan has also been put up by police qua the FIR in question.



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5. The case has been called out twice since morning. However, none has caused appearance on behalf of the complainant.
6. Keeping in view the entirety of facts and circumstances of the case, the petition is allowed and the interim order dated 20.12.2024 is made absolute, subject to the conditions as enumerated under Section 482(2) BNSS, 2023.
7. 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.
8. 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.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

27.03.2025
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No