



101+ 201 (1st case)

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

CRM-M-65519-2024 (O&M)
Date of decision: 12.03.2025

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondent.

Mr. H.S.Sandhu, Advocate for the applicant/complainant.

MAHABIR SINGH SINDHU, J.

CRM-10457-2025

Application by the complainant for placing on record the copies of certain documents as Annexures R-1 to R-6 with further prayer seeking exemption from filing true typed/certified copies thereof.

Notice of the application to the non-applicants.

Ms. Manjot Kaur, learned AAG, Punjab accepts notice on behalf of the non-applicant/respondent and raises no objection to the present application.

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In view of the above and for the reasons mentioned in the application, same is allowed subject to all just exceptions. Annexures R-1 to R-6 are taken on record. Registry will tag the same at appropriate place.

MAIN CASE

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of pre-arrest bail to the petitioner in FIR No.148 dated 04.11.2024 (P-1), under Sections 115(2), 118(2), 126(2), 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*), registered at Police Station City Patti, District Tarn Taran.

(2) Allegations are that petitioner, along with co-accused, inflicted injuries upon the complainant party with baseball & *Datar*.

(3) Learned State Counsel, on instructions from the police official concerned acknowledged that petitioner was granted interim protection by a Coordinate Bench, vide order dated 27.12.2024 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(4) Learned Counsel for the complainant has opposed the prayer of petitioner.

(5) Heard learned Counsel for the parties and perused the paper-book.

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(6) It transpires that petitioner was granted interim protection by a Coordinate Bench, vide order dated 27.12.2024 and the order reads as under:-

“The petitioner herein is a 21 years old young boy who prays for grant of anticipatory bail in a criminal case arising from FIR no.148, dated 04.11.2024, registered under Section 115(2), 118(2), 126 (2), 351(2), 3(5) of BNS 2023, at Police Station City Patti, District Tarn Taran.

In substance, neighbours fought over busting of crackers and the petitioner is alleged to have hit the first informant on his right eye with kawa & his Kada (steel bangle). As per the medical report, there was swelling on the right lid of the first informant. The petitioner claims that he was unarmed and has been falsely implicated to spoil his career.

Notice of motion.

On asking of the Court, Mr. Manmeet Singh Teji, AAG, Punjab, accepts notice on behalf of the State.

List on 29.01.2025.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

(7) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

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(8) Although, learned Counsel for the complainant has opposed the prayer; but in view of the fact that learned State Counsel has not raised any objection and moreover, this is a cross-version case.

(9) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 27.12.2024 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(10) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(11) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(12) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

12th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>