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

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Date of Decision:- 29.01.2025

Ashwani Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gaurav Kalsi, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner – Ashwani Kumar has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.74 dated 09.05.2024, under Section 354-D of IPC, 1860, (Section 376 of IPC was added later on), registered at Police Station City South, District Moga.

2. Petitioner was granted interim bail by the Coordinate Bench vide order dated 24.12.2024, relevant part of which is as under:-

“Meanwhile, the petitioner shall join in the investigation on 30.12.2024 at 10:00 AM sharp and if there need be, even thereafter and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating



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Officer and he shall also strictly abide by all the conditions as laid down in Section 482(2) BNSS”.

3. Learned counsel representing State has filed status report, which is taken on record subject to just exceptions. It is confirmed that petitioner has joined the investigation on 13.05.2024. Investigation is complete and challan has been prepared. It is clarified that petitioner is not required for further investigation.

4. In view of the aforesaid factual position, no purpose would be served by sending the petitioner behind the bars. Therefore, without going on merits of the case, *interim* bail already granted in favour of petitioner – Ashwani Kumar vide order dated 24.12.2024 stands confirmed, subject to the conditions as enshrined under Section 482(2) of BNSS.

5. Petition is accordingly allowed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

29.01.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

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