

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2025:PHHC:035747



(209)

CRM-M-64874-2024

Date of Decision: 17.03.2025

Vivek Thakur @ Vivek Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. R.R. Sharma, Advocate for petitioner.

Mr. Amit Rana, Sr. DAG, Punjab with
ASI Jagir Chand.

Mr. Rohit Sharma, Advocate for respondent no.2.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS, 2023 in case FIR No.51 dated 28.10.2024 under Sections 115(2), 118(1), 126(2), 3(5), 324(4), 351(2) of BNSS, 2023 (section 118(2) BNS added vide Rapat No.027 dated 05.11.2024 and further Section 109 BNS added vide Rapat No.025 dated 19.11.2024), registered at Police Station, Behrampur, District Gurdaspur.

On 07.01.2025, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned Counsel for the petitioner submits that though the occurrence in question is stated to have taken place on 12.10.2024 and the injured-complainant was declared fit to make a statement on the following day, however, for reasons

but obvious, the complainant chose to keep quiet for the next 16 days and it was only on 28.10.2024 that he got the FIR in question registered wherein a fabricated and exaggerated version had been brought forth by the complainant. Learned Counsel has further submitted that even as per the allegations levelled in the FIR in question, the petitioner has not been attributed any injury with a dattar on the person of the complainant which has instead been attributed to co-accused, Abhishek.”

Learned counsel for the petitioner submits that in compliance of order dated 07.01.2025, the petitioner has joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 07.01.2025, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

**(MANJARI NEHRU KAUL)
JUDGE**

17.03.2025

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No