



CRM-M-32804-2024

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

CRM-M-32804-2024

Date of Decision: 19.07.2024

Manpreet Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Randhir Singh Manhas, Advocate for the petitioner.

Mr. Anurag Chopra, Addl. AG, Punjab
Mr. Gurpartap S. Bhullar, A.A.G., Punjab.
Mr. Sukhdev Singh, AAG, Punjab and
Ms. Swati Batra, DAG Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
16	02.05.2023	Vigilance Bureau, FS-1, Punjab at Mohali	409, 420, 465, 466, 468, 471, 120-B IPC and 13 (1) (a), 13(2) of PC (Amendment) Act, 2018

1. A woman aged 26, apprehending arrest in the FIR captioned above, has come up before this Court under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS, 2023], seeking anticipatory bail.

2. A perusal of the petition reveals that “The Bharatiya Nagarik Suraksha Sanhita” has been mentioned in the petition as “The Bharatiya Nagarik Suraksha Sanhita (BNSS) Act”. Before proceeding to adjudicate the bail, let us find out the scope of writing the abbreviation of “*The Bharatiya Nagarik Suraksha Sanhita, 2023*,” as BNSS, and the other two simultaneously enacted statutes, “*The Bharatiya Nyaya Sanhita, 2023*,” and “*Bharatiya Sakshya Adhinyam, 2023*” as BNS and BSA, respectively.

3. A fad for brevity and convenience of usage led to the truncation and conciseness of long words, leading to the ever-increasing trend of abbreviations and their species of initialisms and acronyms, formal or colloquial, lol!

4. Abbreviations are language universals; their nominative function is increasing as they give novel names to well-known notions and objects.¹ They're almost always made up of the words' initials and are spelled in all caps.² Long descriptive terms can be

¹ Natalia Zerkinaa, Nikolaevna Kostinab, Svetlana Anatol'evna Pitina, *Abbreviation semantics, Procedia - Social and Behavioral Sciences, 199*, 137-142. GlobELT: An International Conference on Teaching and Learning English as an Additional Language, Antalya, Turkey. (2015), www.sciencedirect.com

² <https://edu.gcfglobal.org/en/grammar/abbreviations-and-acronyms/1/>



CRM-M-32804-2024

shortened into mnemonic units.³Abbreviating words instead of spelling them out in full is a phenomenon that has existed throughout the history of written communication, from ancient inscriptions carved into stone and medieval manuscripts to modern-day instant messages.

5. When the Ancient Roman Republic was founded, officials placed the acronym of SPQR (Senatus Populus Que Romanus) on everything Roman.⁴ [I]t has been used since antiquity and is still in use now.⁵As early as Fifth Century & Sixth Centuries, the Roman Emperors Dominus Noster Flavius Petronius⁶ to Heraclius Augustus were called as ‘DN’. Economy of time was the more important one in Ancient Rome, where abbreviations were needed for making quick transcriptions of spoken language – In late Antiquity and the early Middle Ages, saving parchment became the driving principle.⁷ Although abbreviations can be found in inscriptions and manuscripts of ancient times, the practice of using them significantly increased in the English language during the 19th century as a means to reduce the time required for writing or speaking, and quite a few Latin abbreviations began to be commonplace.⁸ The need to economise on expensive parchment and vellum and the absence of supplies of cheap paper had encouraged the use of a highly abbreviated style of writing in Latin.⁹ In English, the first known acronyms (as opposed to plain old initialisms) cropped up in the telegraphic code developed by Walter P. Phillips for the United Press Association in 1879– The code abbreviated “Supreme Court of the United States” as SCOTUS and “President of the...” as POT, giving way to POTUS by 1895.¹⁰

6. The 20th century saw an explosion of information, and abbreviations became even more essential for efficiency. The widespread use of electronic communication in the 1990s led to a rise in colloquial abbreviations, especially in text messaging, due to character limits. The words were also clipped, the best demo is demo itself, truncated from ‘Demonstration’. Clipping is generally considered a linguistic phenomenon consisting in cutting up, trimming, or “mincing” a word, so as to produce a shorter version of this word by loss of material –the semantic restrictions state that the clipped form needs to remain long enough to signify.¹¹Using the shorter form means that some intelligibility may be lost, but has the advantage that the message can be fitted into

³ <https://www.britannica.com/topic/abbreviation>

⁴ https://www.empirerome.com/wordpress/?page_id=216

⁵ <https://ianhopkinson.org.uk/2016/07/book-review-spqr-a-history-of-ancient-rome-by-mary-beard/>

⁶ <https://www.uvm.edu/~bsaylor/rome/emperors.html>

⁷ Alpo Honkapohja, *Manuscript abbreviations in Latin and English: History, typologies and how to tackle them in encoding*, University of Zurich, <https://varieng.helsinki.fi/series/volumes/14/honkapohja/>

⁸ <https://www.merriam-webster.com/wordplay/origin-of-latin-abbreviations-ie-eg-etc>.

⁹ John M. Fletcher & Christopher A. Upton, *The End of Short Cuts, The use of abbreviated English by the fellows of Merton College*, *Journal of the Simplified Spelling Society*, 1988/1 pp13-16. Oxford 1483-1660. <https://web.archive.org/web/20071015214606/http://www.spellingsociety.org/journals/j7/shortcuts.php>

¹⁰ <https://www.nytimes.com/2010/12/19/magazine/19FOB-onlanguage-t.html>.

¹¹ Denis Jamet, *A morphophonological approach to clipping in English, Can the study of clipping be formalized?*, <https://journals.openedition.org/lexis/884>



CRM-M-32804-2024

shorter space or written in a shorter time.¹²

7. What makes abbreviations unique, compared to many other features deemed accidentals by textual criticism, is the range in the way the written form corresponds to its lexical and phonological referents.¹³ Abbreviations are not artificially created linguistic units for language economy but they eliminate contradiction between modern consciousness and limited lexical resources of any language.¹⁴ As abbreviations are information cumulative linguistic units, they may be presented in various types, given a wide approach to abbreviation, in syllabic, compound syllabic and initial ones and semantic processes within each type are due to a qualitative and quantitative composition of basic units, features of their functioning and a width of a semantic range of a formant.¹⁵ They assist in making manuscripts easy to read and understand¹⁶.

8. Abbreviation is a genus, and Acronyms and Initialisms are its species. Acronyms are formed from the first letters of phrases like UNESCO and UNICEF, pronounced as a word. Like abbreviations, acronyms are used to save space—Unlike abbreviations, they are often used within the body of a text to reduce repetition and improve flow.¹⁷ Initialisms are a series of initial letters but distinctly pronounced letter-by-letter usually from the first letters of the syllables of long polysyllabic words, such as DDT for Dichlorodiphenyltrichloroethane. Unlike abbreviations, they aren't shorter spellings of words—they're made up of the words' initials.¹⁸ Although both acronyms and initialisms fall under the category of abbreviations, the difference lies in the way one pronounces them.¹⁹

9. Illustrations of Abbreviations -Initialisms and Acronyms

Initialisms	Word/Phrase	Acronyms	Word/Phrase
<u>BSNL</u>	Bharat Sanchar Nigam Limited ²⁰	MADD	Mothers Against Drunk Driving

¹² Alpo Honkapohja, Imogen Marcus, *The long history of shortening: a diachronic analysis of abbreviation practices from the fifteenth to the twenty-first century*, Published online by Cambridge University Press <https://doi.org/10.1017/S1360674323000436>. <https://www.cambridge.org/core/journals/english-language-and-linguistics/article/long-history-of-shortening-a-diachronic-analysis-of-abbreviation-practices-from-the-fifteenth-to-the-twenty-first-century/3296F47F350D4C519DC737A9ED18447D>

¹³ Honkapohja, A., 2021, *Digital Approaches to Manuscript Abbreviations: Where Are We at the Beginning of the 2020s?* *Digital Medievalist*, 14(1), p. None. DOI: <http://doi.org/10.16995/dm.88>.

¹⁴ Natalia Zerkinaa, Nikolaevna Kostinab, Svetlana Anatol'evna Pitina, *Abbreviation semantics*, *Procedia - Social and Behavioral Sciences*, 199, 137-142. GlobELT: An International Conference on Teaching and Learning English as an Additional Language, Antalya, Turkey. (2015), www.sciencedirect.com

¹⁵ Natalia Zerkinaa, Nikolaevna Kostinab, Svetlana Anatol'evna Pitina, *Abbreviation semantics*, *Procedia - Social and Behavioral Sciences*, 199, 137-142. GlobELT: An International Conference on Teaching and Learning English as an Additional Language, Antalya, Turkey. (2015), www.sciencedirect.com

¹⁶ Dr. Shweta Murudkar, *All You Need to Know About Abbreviations and Acronyms*, <https://www.enago.com/academy/abbreviations-and-acronyms/>

¹⁷ <https://www.uoc.edu/portal/en/servei-linguistic/convencions/abreviacions/sigles-acronims/index.html#1>

¹⁸ <https://edu.gcfglobal.org/en/grammar/abbreviations-and-acronyms/1/>

¹⁹ Dr. Shweta Murudkar, *All You Need to Know About Abbreviations and Acronyms*, <https://www.enago.com/academy/abbreviations-and-acronyms/>

²⁰ https://dpe.gov.in/sites/default/files/List%20of%20Abbreviations_Main.pdf



CRM-M-32804-2024

WWW	World Wide Web	LASER	Light Amplification by Stimulated Emission of Radiation
HTML	Hypertext Markup Language	RAM	Random Access Memory
<u>CMC</u>	Computer Mediated Communication ²¹	ISRO	Indian Space Research Organisation
FAQ	Frequently Asked Questions	CAPTCHA	Completely Automated Public Turing test to tell Computers and Humans Apart.
ADR	Alternative Dispute Resolution	PIN	Personal Identification Number
IIT	Indian Institutes of Technology	AIIMS	All India Institute of Medical Sciences
BCG	Bacillus Calmette-Guerin) antituberculosis vaccine	AIDS	Acquired Immune Deficiency Syndrome
<u>ACR</u>	Annual Confidential Report ²²	SCUBA	Self-contained underwater breathing apparatus
USA	United States of America	POTUS	President of the United States
ETA	Estimated Time of arrival	NATO	North Atlantic Treaty Organization
ED	Enforcement Directorate	RAW	Research and Analysis Wing
CBI	Central Bureau of Investigation	RADAR	Radio Detection and Ranging
IPC	Indian Penal Code	Wi-Fi	Wireless Fidelity
CrPC	Code of Criminal Procedure	TOEFL	Test of English as a Foreign Language

10. India is a union of the multi-linguistic states where, as per the data collected from the Census of 2011²³, a total of 121 languages and 270 mother tongues are spoken and the Hindi speakers constitute 43.63%. This data is based on the abstract of languages and the mother tongues, with speakers' strength of 10,000 and above at the all-India level. Our democratic nation, with distinct ethnicities, thrives in harmony through diversity and not homogeneity. International Mother Language Day, first proclaimed by UNESCO and

²¹ <https://asistdl.onlinelibrary.wiley.com/doi/abs/10.1002/aris.1440360104>

²² https://dpe.gov.in/sites/default/files/List%20of%20Abbreviations_Main.pdf

²³ <https://censusindia.gov.in/census.website/data/census-tables>



CRM-M-32804-2024

later adopted by the UN General Assembly, underscores the role of languages in promoting inclusion and achieving Sustainable Development Goals²⁴. Creating a shared linguistic space for people with different language backgrounds becomes crucial to fostering a sense of unity and inclusivity. The hard-to-pronounce titles cause lingual impediment, cognitive chaos, and tedium that can prevent the legal system from operating smoothly. We, the people of India, respect the mutual co-existence of Hindi and non-Hindi speakers and acknowledge the inevitable discomfort for the latter to pronounce difficult Hindi names. Not only MPs and MLAs, even various political parties in India, with long names, like “AIMIM”²⁵, BJP, DMK, JDU, TDP etc., are widely recognized by their abbreviated/initialized forms, irrespective of the languages in which their names are composed.

11. Condensing the titles of new criminal laws into initialism BNS, BNSS, and BSA will help standardize the terms in a manner that can be universally understood without grappling with linguistic competence. These are likely to reduce the cognitive load on readers by making the text more scannable and more accessible to the process, and compared to the Hindi pronunciation, it is straightforward to pronounce. A reading of “The Bharatiya Nagarik Suraksha Sanhita, 2023,”; “The Bharatiya Nyaya Sanhita, 2023,” and “Bharatiya Sakshya Adhinyam, 2023” do not point out any restrictions not to call these statutes by their abbreviations, BNSS, BNS, and BSA, and it is time to call them by their abbreviations, which would not be violative of any law. Adopting abbreviations for the new criminal laws will not only simplify the usage of lengthy Hindi terminology in legal space but also promote inclusivity, facilitating a more accessible and efficient judicial process. Given the above, there is nothing wrong if in the FIR, Petitions, orders, etc., Bharatiya Nagarik Suraksha Sanhita, 2023, Bharatiya Nyaya Sanhita, 2023, and Bharatiya Sakshya Adhinyam, 2023 are referred to as BNSS, BNS, BSA, respectively.

12. Now, coming back to the bail, in paragraph 28 of the bail petition, the accused declares that she has no criminal antecedents.

13. Facts of the case are being taken from the status report dated 19.07.2024 filed by the concerned DySP. The above captioned FIR was registered based on the inquiry conducted by the Vigilance Bureau. As per the prosecution, in 2016-17, the Greater Mohali Area Development Authority (GMADA) started acquiring land to set up the Aerotropolis Residential Project near IT City and Aero City Scheme. Subsequently, a Social Impact Assessment notification under Section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 was issued on 15.12.2017. After that, the GMADA initiated the proceedings to acquire

²⁴ <https://www.un.org/en/observances/mother-language-day>

²⁵ Ravindra Baburao Tasildar, *Abbreviations in Newspaper Headlines: A Linguistic Study*, NSOU-Open Journal ISSN: 2581-5415, Vol.7 No.2, p28-35, (July 2024),
Journal URL: <http://www.wbnsou.ac.in/openjournals/index.shtml>



CRM-M-32804-2024

737.1252 acres of land in five villages. The inquiry revealed that some landowners also claimed compensation for the fruit-bearing trees claiming to have been planted in the acquired land, in connivance with higher-ups of GMADA, whereas such fruit-bearing trees either did not exist or were not fruit-bearing but were recently transported saplings. The guava trees were shown to be more than 04 years old, which qualifies them as fruit-yielding trees, whereas the inquiry and the investigation revealed that the paperwork had been completed with spot verification or that the saplings had been recently planted. In addition, some unscrupulous speculators had also started purchasing the land because they were aware of the land acquisition and, thus, defrauded the villagers.

14. Petitioner's Counsel prays for bail and does not object to imposing any stringent conditions. Petitioner's Counsel argued that the custodial investigation would serve no purpose and that pre-trial incarceration would cause irreversible injustice to the petitioner and family.

15. Counsel for the petitioner submits that some of the landowners allegedly defrauded the State government by showing the existence of guava trees on the acquired land, and when the scam was unearthed, then honest horticulturists like the petitioner were also roped in. Counsel for the petitioner further submits that the petitioner never defrauded the Government and has proved her bonafide by depositing the entire compensation amount that was received for plantation of guava trees in the acquired land in the shape of FDR(s). Counsel submits that almost all similarly placed persons have been granted bail by this Court on their deposit of the entire compensation amount that they have received on account of fruit trees, and the petitioner is also entitled to the same relief on the principles of parity.

16. The State opposes bail and seeks custodial interrogation. The State counsel does not deny that similarly placed co-accused were granted bail and submits that FDRs have been handed over to the Investigator, whereas similarly placed persons have deposited the same to the concerned Court, and if this Court is granting bail on the ground of parity, then the petitioner must undertake to deposit the FDRs with the concerned Chief Judicial Magistrate. The petitioner's Counsel, on instructions, undertakes to comply with this part by July 31, 2024.

17. Analyzing these arguments would lead to the outcome that the petitioner is also entitled to bail on the principles of parity with similarly placed co-accused. It is subject to the condition that the Investigator returns the FDRs to the petitioner, and the same shall be deposited with the concerned Chief Judicial Magistrate, and the copy of the order qua mentioning deposit shall be handed over to the Investigator on or before 31.07.2024.

18. Given the above, coupled with the evidence collected so far and the fact that the petitioner is a first offender, one relevant factor would be to provide an opportunity to



CRM-M-32804-2024

course correct. Even a prima facie perusal of paragraph 5 of the bail petition needs consideration for bail. Thus, without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail, subject to Ss. 485(4), 486, 491, and 492 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and the terms and conditions on bail bonds, to the satisfaction of the Arresting Officer/ Investigator or the concerned Court, whichever is applicable.

Petition allowed in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

19.07.2024

Jyoti Sharma/ anju rani

Whether speaking/reasoned: Yes

Whether reportable: **YES**