



CRM-M-30-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

233-1 CRM-M-30-2025 (O&M)
Date of Decision: 07.02.2025

Gurbir SinghPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Amarjeet Kaur, Advocate, for
Mr. Sukhbir Maandi, Advocate, for the petitioner.

Mr. Rishabh Singla, AAG, Punjab

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in cross-case bearing GD No.33 dated 09.11.2024 under Sections 118(2), 118(1), 117(1), 115(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Valtoha, District Tarn Taran, in FIR No.94 dated 05.11.2024 under Sections 118(1), 115(2), 191(3), 190 of BNS (offence under Sections 109 & 118(2) of BNS were added later on), registered at Police Station Valtoha, District Tarn Taran.

2. On 07.01.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the present case. It is a case of version and cross-version and the injury attributed to the petitioner is self-inflicted injury, as it is not on the vital part of the body. The petitioner had also received four injuries, out of which two injuries are on his head. The cross-version/GD was recorded after a delay of 09 days. All other co-accused have already been granted the concession of anticipatory bail by learned Additional Sessions Judge, Tarn Taran.

Notice of motion for 07.02.2025.

Keeping in view the ratio of law enunciated by the Hon'ble

Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51;



CRM-M-30-2025 (O&M)

2

Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS [erstwhile Section 438(2) of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')]]

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Learned State counsel on instructions from ASI Avtar Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 07.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.02.2025
anil

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