



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

206

CRM-M No.945 of 2025 (O&M)  
Date of decision: 14.02.2025

Gurpreet Singh alias Gopy alias Gupreet Kumar  
.....Petitioner  
Versus  
State of Punjab  
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Narinder S. Lucky, Advocate  
with Mr. Harjinder Singh, Advocate  
for the petitioner.  
  
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.263 dated 08.12.2024 under Sections 109/115(2)/126(2)/351(2)/351(3)/3(5) of BNS, 2023 registered at Police Station City Phagwara, District Kapurthala.
2. On 13.01.2025, the following order was passed:-

“XX XX XX XX  
*Learned counsel for the petitioner inter alia contends that as per the case set up by the prosecution, the petitioner is alleged to have given kick blows and admittedly, no weapon was used for inflicting the alleged injuries on the complainant. He further submits that none of the injuries are on the vital part. The necessary ingredients to breach the threshold of Section 109 BNS are clearly missing. Although, the petitioner is involved in two more cases but he is on bail in both the cases.*

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*Notice of motion.*

*On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.*

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; 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**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier Section 438 (2) Cr.P.C.).*

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

*Adjourned to 14.02.2025.*

*Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”*

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3. Learned State counsel, on instructions from ASI Jasbir 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 13.01.2025 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

14.02.2025  
*yakub*

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