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

CRM-M-2066-2025

Date of decision: 15.02.2025

Gulab Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. N.S. Sidhu, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.131 dated 21.10.2024 (Annexure P-1) under Sections 109/304/305/324(2)/62/351(3)/115(2)/126(2)/191(3)/190 of BNS registered at Police Station Nehianwala District Bathinda, Punjab.

On 16.01.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.131 dated 21.10.2024 under Sections 109, 304, 305, 324(2), 62, 351(3), 115(2), 126(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Nehianwala, District Bathinda.

Learned counsel for the petitioner, inter alia, contends that there is an unexplained delay of 06 days in registration of FIR (supra), which creates a serious dent on the case set up by the prosecution. Admittedly, it is a case of no injury and the factual ingredients invoking the provisions of Section 109 of BNS are not available.



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Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and opposes the prayer made by the petitioner on the ground that he recorded a video of the incident and circulated the same on the social media. The petitioner is involved in two more cases.

Adjourned to 15.02.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; 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.'

Learned State counsel on instructions from SI Mukhtiar Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 16.01.2025 is hereby made absolute. The petitioner shall abide by the terms and

conditions envisaged under Section 482 (2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

15.02.2025
Neha

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