



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
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CRM-M-2881-2025 (O&M)
Date of decision: 20.02.2025

Davinder Singh
.....Petitioner
Versus
State of U.T., Chandigarh
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P.S. Ahluwalia, Advocate
with Mr. Gaurav Jain, Advocate
and Mr. Jaiveer Singh, Advocate
for the petitioner.

Mr. Manish Bansal, PP, U.T., Chandigarh.

Ms. Divya Sharma, Advocate for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C.
seeking anticipatory bail in case FIR No.0009 dated 19.02.2024 under
Sections 323, 341, 506, 34 of IPC and Section 307 of IPC (added later
on), registered at Police Station North, District Chandigarh

2. On 20.01.2025, the following order was passed:-

“XX XX XX XX
*Learned counsel for the petitioner, inter alia,
contends that it is a case of version and cross-version and
two persons from the petitioner’s side suffered injuries and
one of the injury has been declared as grievous in nature,
breaching the threshold of Section 325 of IPC. Further, no
specific role has been attributed to the petitioner and
similarly situated co-accused namely Simranpreet Singh*



was granted the concession of regular bail by learned Additional Sessions Judge, Chandigarh vide order dated 03.10.2024 (Annexure P-3) on the basis of affidavit of injured Manpreet Singh, where he made a complete somersault to the case set up by the prosecution in the FIR (supra). It is further contended that none of the injury has been declared dangerous to life by the medical expert and the petitioner is not involved in any other case.

Notice of motion for 20.02.2025.

*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 438(2) of Cr.P.C. (now Section 482(2) of BNSS).*

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 Ramesh Pal, 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 20.01.2025 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

20.02.2025
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No