



**214-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-5877-2025

Date of decision: 24.02.2025

DIAL SINGH @ HARDIAL SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.153 dated 29.11.2024, registered under Sections 115(1), 118(1), 118(2), 3(5) of BNS, 2023, at Police Station Majitha, District Amritsar (Rural).

2. On 31.01.2025, following order was passed:

"Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.153 dated 29.11.2024, registered under Sections 115(1), 118(1), 118(2), 3(5) of BNS, 2023, at Police Station Majitha, District Amritsar (Rural).

Learned counsel for the petitioner inter alia contends that the FIR (supra) has been registered, as a counter-blast to FIR No.83 dated 24.07.2024, registered under Sections 323, 324, 341 IPC at Police Station Majitha, District Amritsar, on the complaint made by the son of the petitioner namely Sukhwinder Singh and there is



a delay of 03 months in registration of the FIR (supra). He further submits that all the injuries are on the non-vital part and the petitioner and his wife also sustained injuries. He further submits that similarly situated co-accused of the petitioner namely Sukhwinder Singh @ Sonu, has been granted the concession of ad interim anticipatory bail in CRM-M No.4172 of 2025.

Notice of motion for 24.02.2025.

*In the meantime, 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.*

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.

To be heard along with CRM-M No.4172 of 2025, on the date fixed.”

3. Learned State counsel, on instructions from ASI Harinderjit



Singh, submits that in compliance of order dated 31.01.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel, the order dated 31.01.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482 (2) BNSS.

5. The petition is accordingly disposed of.

6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

February 24, 2025
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |