

2025:PHHC:071956



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5569 OF 2025
DATE OF DECISION: 26.05.2025

MANPREET SINGH ..PETITIONER

VS.

STATE OF PUNJAB ..RESPONDENT

CORAM: HON’BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Devender Kumar, Advocate for the petitioner.
Mr. Jasdeep Singh, Addl. AG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station
Manpreet Singh	89	14.07.2023	323, 325, 341, 506, 148, 149 of IPC (Section 307 of IPC added later on)	Sadar Patiala

2. On 30.01.2025, following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No89 dated 14.07.2023 registered under Sections 323, 325, 341, 506, 148, 149 of IPC (Section 307 of IPC added later on) at Police Station Sadar Patiala, District Patiala, Punjab.
Counsel for the petitioner inter alia submits that the petitioner is falsely named in the FIR and otherwise also no injury is attributed to the present petitioner. Counsel

for the petitioner further submits that earlier the petitioner was granted bail by the police as at that time all the offences were bailable but now the petitioner is apprehending his arrest as police has later on added offence under Section 307 of IPC. Counsel for the petitioner further submits that petitioner who is having no criminal history is ready and willing to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that petitioner was member of unlawful assembly, which attacked and caused injuries to complainant Jaskirat Singh and the petitioner is required by the police for the purpose of proper investigation of the case. The State counsel has not disputed the fact that main injuries are attributed to co-accused Manjot Singh and Akashdeep @ Kashi and no injury is attributed to the present petitioner, who is having no criminal antecedents.

In view of the fact that liability of the petitioner under Section 307 of IPC is only with the aid of Section 149 of IPC, the petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

Now be listed on 19.05.2025.”

3. Learned counsel for the petitioner submits that, in compliance of the order dated 30.01.2025 passed by this Court, the petitioner has duly joined the investigation and has extended full cooperation. It is further submitted that custodial interrogation of the petitioner is not warranted. In view of the petitioner's cooperation and the nature of evidence involved, it is prayed that the interim protection granted earlier be confirmed and the petition for anticipatory bail be allowed.

4. Learned State counsel on instruction, confirms the factum of joining of investigation by the petitioner and submits that as

of now, custodial interrogation of the petitioner is not required. However, it is submitted that the petitioner be directed to rejoin the investigation as and when required by the Investigating Officer. It is further clarified that in the event of non-cooperation or failure to join the investigation when called upon, the petitioner shall not be entitled to claim the benefit of anticipatory bail.

5. After hearing learned counsel for the parties, an upon perusal of the allegations leveled in the FIR as well as the issues highlighted during the course of hearing, and taking into consideration the fact that the petitioner has joined the investigation and has extended full cooperation, and that custodial interrogation is not required as of now, this Court deems it appropriate to allow the present petition. Accordingly, the prayer for anticipatory bail is accepted. The interim order dated 30.01.2025 is hereby made absolute. The petition is, thus, allowed.

6. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and shall abide by all the terms and conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023).

It is further clarified that in the event the petitioner fails to join or rejoin the investigation despite service of due notice by the Investigating Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he do not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

May 26, 2025
Poonam Sharma

(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:	Yes/No
Whether Reportable:	Yes/No