



CRM-M-6143-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

233-2 CRM-M-6143-2025 (O&M)
Date of Decision: 07.02.2025

Jasbir Singh alias Jasbeer SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P. B. S. Goraya, Advocate, for the petitioner.

Mr. Rishabh Singla, AAG, Punjab

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition is preferred under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail
in FIR No.94 dated 05.11.2024 under Sections 118(1), 115(2), 191(3), 190
of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (offence under
Sections 109 & 118(2) of BNS were added later on vide rapat No.14 dated
14.11.2024), registered at Police Station Valtaha, District Tarn Taran.

2. On 03.02.2025, the following order was passed:-

“XX XX XX XX

*Learned counsel for the petitioner, inter alia, contends that
there is a delay of 04 days in reporting the incident to the jurisdictional
police authorities. It is a case of version and cross-version and only
simple injury on the forehead is attributed to the petitioner. The petitioner
is having clean antecedents and is not involved in any other case.*

Notice of motion for 07.02.2025.

To be listed along with CRM-M-30-2025

*Keeping in view the ratio of law enunciated by the Hon'ble
Supreme Court in Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273,
Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC
427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam
Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine
SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2*

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SCC 565, the petitioner is directed to appear before Investigating Officer on or before 06.02.2025 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).

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 Avtar 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 03.02.2025 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

07.02.2025
anil

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