



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
218

CRM-M-6424-2025 (O&M)
Date of decision: 04.03.2025

Sohraab
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Padamkant Dwivedi, Advocate
for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory
bail in FIR No.102 dated 16.12.2024 under Sections 140(1), 115(2),
351(3), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short
'BNS') (Section 117(2) of BNS was added later on), registered at Police
Station City Balachour, District SBS Nagar.

2. On 04.02.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia,
contends that the petitioner is a student and is 18 years of
age and FIR (supra) has been registered as a counter-blast
to the earlier incident dated 18.10.2024, in which the
petitioner was beaten up by the complainant and he
received injuries, as discernible from MLR (Annexure P-3).
The allegations have been aggravated by the local police



under the influence of the complainant to make it a more serious crime. All the injuries suffered by the complainant are simple in nature. The petitioner is having clean antecedents and is not involved in any other case.

Notice of motion for 04.03.2025.

*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).*

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 Lakhvir Chand, 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 04.02.2025 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

04.03.2025

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No