

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-7490-2025 (O&M)
Date of Decision: 07.03.2025

AMANPREET SINGH

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. L.S. Mann, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG 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.249 dated 31.10.2024 under Sections 115(2), 118(1), 191(3), 190
of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Samrala,
District Ludhiana.

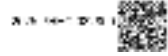
2. On 10.02.2025, following order was passed:

*"Instant petition is preferred under Section 482 of
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS')
seeking anticipatory bail in FIR No.249 dated 31.10.2024 under
Sections 115(2), 118(1), 191(3), 190 of the Bharatiya Nyaya Sanhita,
2023, registered at Police Station Samrala, District Ludhiana.*

*Learned counsel for the petitioner, inter alia, contends
that there is a delay of 02 days in registration of FIR (supra), which
itself creates a serious doubt on the case set up by the prosecution.
The petitioner also suffered six injuries and his Medical Legal
Report (Annexure P-2) is prior in time, even before registration of
FIR (supra), which has been registered against him on the basis of
self-suffered injuries. The maximum sentence provided for the
offences, under which the FIR (supra) is registered, is punishable
upto 05 years. Even no notice under Section 35(3) of BNSS
[erstwhile Section 41-A of the Code of Criminal Procedure, 1973
(for short 'Cr.P.C.')] has been served upon the petitioner.*

Notice of motion for 07.03.2025.

*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 SCC 565, 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 Cr.P.C.).

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 Jarnail Singh, submits that in compliance of order dated 10.02.2025 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 10.02.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./482(2) of B.N.S.S.

5. The petition is accordingly disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.03.2025
Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No