



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-9253-2025
Date of decision: 22.04.2025

ARVINDER SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Arvinder Singh, Aged 36 years	0006	25.01.2025	109, 115(2), 126(2), 324, 351(2), 191(3), 190 of BNS, 2023	Shambu	Patiala

2. On 18.02.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
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2. Learned counsel for the petitioner, inter alia, contends as following: (i) Till date there is no medical evidence to constitute the offence under Section 109 of IPC; (ii) The only allegation against the petitioner is of causing stick blows on the back, legs and other parts of the body, but there is no medical evidence to support the evidence; (iii) Mentioning of fact in the FIR is that the assailants, who came on motorcycles left their weapons like sticks, swords and iron rods on the spot, appears to be a concocted version, and rather, gives an impression that the assailants were some unknown persons; (iv) Earlier, petitioner – Arvinder Singh had got lodged one FIR against one Sehaj Pal Singh @ Ladda, who in village politics, is adversary to the petitioner side and with the complainant party. Therefore, due to this reason, petitioner has been named in the FIR; (v) All the named accused with a specific role, i.e., (i) Surinder pal, (ii) Bablu Khan, (iii) Nannu, (iv) Maani, and (v) Jaswant Singh, have been left out by the prosecution without any substantial reason and it shows that complainant has given a false and concocted version to the police, which is majorly found un-reliable. Thus, learned counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

3. Notice of motion.

4. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions, and, in case of necessity, to file status



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report.

5. At this stage, Mr. K.K. Jain, Advocate, puts in appearance on behalf of the complainant and opposed the contentions addressed by the counsel for the petitioner for the purpose of seeking anticipatory bail.

6. Adjourned to 22.04.2025.

7. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Learned counsel for the petitioner submits that in compliance to the interim direction passed by this Court vide order dated 18.02.2025, the petitioner has already joined the investigation and has fully cooperated and thus prays for making the order dated 18.02.2025 as absolute.

4. On the other hand, learned State counsel though confirms the statement of the petitioner to the extent of joining the investigation but yet points out that as stated by counsel for the petitioner before this Court and recorded in the order dated 18.02.2025 (para 2) i.e. “(v) that named accused i.e. (i) Surinder pal, (ii) Bablu Khan, (iii) Nannu, (iv) Maani, and (v) Jaswant Singh have been left out by the prosecution without any substantial reason”, is in fact incorrect statement and all these people have been made accused. Anticipatory bail petition



of Surinder Pal is pending before this Court.

5. Taking into consideration all the aspects which has been understood from the petition and after hearing counsels from both the sides, this Court do not find any substantial reason that petitioner be subjected to custodial interrogation and specially when there is no strong reason with the prosecution for requiring the custodial interrogation of the petitioner. Accordingly, the present petition is allowed and ad-interim order dated 18.02.2025, passed by this Court is hereby made absolute.

6. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

22.04.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No