



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-8601-2025 (O&M)
Date of decision: 17.03.2025

Arjun Kumar and another
.....Petitioners
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Deepti Rampal, Advocate
for Mr. Munish Puri, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail to the petitioners in FIR No.0008 dated 04.02.2025 under Sections 333, 115(2), 118(1), 3(5), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Sadar Pathankot, District Pathankot.

2. On 14.02.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioners, inter alia, contends that there is an unexplained delay of 06 days in registration of FIR (supra). The alleged incident took place on 29.01.2025, whereas the present FIR was registered on 04.02.2025. The injuries suffered by the complainant are simple in nature and only offence under Section 333 of BNS is non-bailable and rest of the offences are bailable.
Notice of motion for 17.03.2025.



*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 petitioners are 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 petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners will 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 petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners 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 Paramjit Singh, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.



4. In view of the statement of learned State counsel, order dated 14.02.2025 is hereby made absolute. The petitioners 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

17.03.2025
yakub

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