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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-9752-2025

Date of decision: 21.03.2025

Mithu Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. L.S. Bhullar, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.0045 dated 06.08.2024 under Sections 331(6)/118(1)/115(2)/324(4)/190/191(3) of BNS (earlier Sections 458/324/323/427/149/148 of IPC) (offences under Sections 118(2)/117(2) of BNS added later on vide DDR No.29 dated 21.10.2024) (earlier Sections 326/325 of IPC) registered at Police Station Sadar Rampura, District, Bathinda (Annexure P-1).

On 20.02.2025, the following order was passed:-

'The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.0045 dated 06.08.2024 under Sections 331(6)/118(1)/115(2)/324(4)/190/191(3) of BNS (earlier Sections 458/324/323/427/149/148 of IPC) (offences under Sections 118(2)/117(2) of BNS added later on vide DDR No.29 dated 21.10.2024) (earlier Sections 326/325 of IPC) registered at Police Station Sadar Rampura, District, Bathinda (Annexure P-1).

Learned counsel for the petitioner inter alia contends that there is a delay of 22 hours in the registration of the FIR (supra) and petitioner is alleged to have given simple injury with a blunt weapon on the back side of the head and left and right shoulders of the injured and the grievous injury attracting the offence under Section 118(2) of BNS has been specifically attributed to co-accused, namely, Gurpreet Singh whose anticipatory bail application has been dismissed by this



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Court and wife and daughter of the petitioner have been granted the concession of anticipatory bail by the learned Additional Sessions Judge, Bathinda. The petitioner is not involved in any other case.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the 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**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (earlier Section 438 (2) Cr.P.C.).*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 21.03.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court. '

Learned State counsel on instructions from SI Dilbagh Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 20.02.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.03.2025

Neha

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