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

CRM-M-10932-2025

Date of decision: 27.03.2025

Pardeep Kumar alias Surya

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Pushp Jain, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.0002 dated 05.01.2025 (Annexure P-1) under Sections 115(2)/118(2)/3(5) of BNS registered at Police Station Division No.2, District Police Commissionerate Jalandhar.

On 27.02.2025, the 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.0002 dated 05.01.2025 under Sections 115(2), 118(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Division No.2, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner, inter alia, contends that the petitioner and the complainant are cab drivers and there was a monetary dispute between them, which led to a scuffle, in which the complainant suffered injuries. However, immediately after registration of FIR (supra), the parties made sincere efforts to amicably resolve the dispute, which culminated into a compromise deed dated 04.02.2025 (Annexure P-2). Further, the petitioner and co-accused Sahil have already filed a petition i.e. CRM-M- 11031-2025 seeking quashing of FIR (supra) on the basis of compromise.

Notice of motion.

Mr. Sandeep Kumar, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Mohd. Jameel, Advocate appears on behalf of complainant-respondent No.2 and files Power of Attorney in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Adjourned to 27.03.2025.



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*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.'

Learned State counsel on instructions from ASI Vijay Kumar, 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 27.02.2025 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

27.03.2025

Neha

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