

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:101300



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CRM-M-13665-2025 (O&M)
Date of decision:05.08.2025

Gurmail Singh @ Gurmel Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. B.K. Saini, Advocate for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Mr. Vineet Jaidka, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed under Section Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.0184, dated 27.10.2024, under Sections 115(2), 118(2), 3(5) of the BNS, registered at Police Station Dharmkot, District Moga.

2. Learned State counsel has submitted that the petitioner has joined investigation on 19.03.2025.

3. Today power of attorney has been filed on behalf of the complainant and learned counsel for the complainant submits that since the petitioner did not appear to record his statement in the petition filed by the complainant seeking quashing of cross case registered against him on the

basis of compromise and the same even stands withdrawn on 01.08.2025, therefore, the petitioner does not deserve to be given concession of bail. It is also submitted that the injuries sustained by the complainant was grievous in nature and do not entitle the petitioner to avail benefit of pre-arrest bail.

4. Per contra, learned counsel for the petitioner submits that the petitioner has already joined investigation and his custodial interrogation is not required. Therefore, he deserves to be given the benefit of pre-arrest bail.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

7. The petitioner has joined investigation on 19.03.2025. His custodial interrogation is not required. Given the nature of the allegations and the peculiar circumstances of the case, this Court is of the opinion that pre-trial incarceration of the petitioner is not required and a case for anticipatory bail has been made out in favour of the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to the conditions as envisaged under Section 482(2) of BNS and further to the conditions that he shall disclose his present as well as permanent address at the time of furnishing of bonds and shall also give copy of his passport, Aadhar Card, PAN Card, if any and shall visit the police station as and when called and also furnish details of his mobile phone number(s) to the Arresting/Investigating Officer and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the concerned police station.

9. This order shall come into force from the time it is uploaded on this Court's official webpage.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

05.08.2025

harjeet

(MANISHA BATRA)
JUDGE

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