



315-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15530-2025
Date of decision: 24.04.2025

Yogesh @ Joga

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ajay Singh Pundir, Advocate
for the petitioner.

Mr. Nitesh Sharma, 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.102 dated 16.12.2024 (Annexure P-1) under Sections 140(1)/115(2)/351(3)/191(3)/190 of BNS (Section 117 (2) of BNS added later on) registered at Police Station City Balachour, District Shaheed Bhagat Singh Nagar.

On 21.03.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') [erstwhile Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] seeking anticipatory bail in FIR No.102 dated 16.12.2024 under Sections 140(1), 115(2), 351(3), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 117(2) of BNS (added later on), registered at Police Station City Balachour, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner, inter alia, contends that two of the similarly situated co-accused of the petitioner, namely Anmol Singh and Sohraab, have already been granted the concession of anticipatory bail by this Court vide separate orders of even date i.e. 04.03.2025 passed in CRM-M- 6954-2025 & CRM-M-6424-2025, respectively. It is further contended that FIR (supra) has been registered as a counter-blast to the earlier incident, which took place on 18.10.2024, in which the complainant is one of the accused and he caused injuries to co-accused. The allegations have been manipulated to make it a serious crime, although all the injuries are simple in nature.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Mohit Kumar Bhardwaj, Advocate appears on behalf of the complainant and



CRM-M-15530-2025

-2-

files his Vakalatnama 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 23.04.2025.

*To be listed along with CRM-M-14611-2025 titled as **Rohit Vs. State of Punjab.***

*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 Cr.P.C.).*

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 Lakhvir Chand, 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 21.03.2025 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

24.04.2025

Neha

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