

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:145954



(203)

CRM-M-16686-2025
Decided on : 27.10.2025

Jandeep Singh and anotherPetitioner(s)
Versus
State of Punjab and anotherRespondent(s)

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. H.S. Randhawa, Advocate &
Mr. Udaiveer Sidhu, Advocate for the petitioner (s).

Mr. Amit Kumar Goyal, Addl. AG, Punjab.

Mr. Gurpreet Singh Gurna, Advocate for
Ms. Harpeet Kaur Gill, Advocate
for respondent No.2/complainant.

Sumeet Goel (Oral):

1. Apprehending their arrest in FIR No.123 dated 02.11.2024 registered for offences punishable under Sections 109, 115(2), 127(1), 351(2), 191(3) and 190 of BNS 2023 (Section 117(2) of BNS 2023 added later on), at Police Station IT City, SAS Nagar, District SAS Nagar (Mohali); the petitioners have preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.
2. At the outset, learned counsel appearing for the petitioners has urged that the present petition be treated as an appeal in terms of Section 14 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Act, 1989, since Section 3(r)(s) of the said Act was added later on during the pendency of the present petition before this Court.

3. In the interest of justice, ordered accordingly.

4. On 23.07.2025, the petitioner was extended the concession of interim bail, relevant whereof reads thus:

“Counsel for the petitioner submits that interim order be extended and the petitioner be permitted to join investigation and he would have no objection in case any stringent conditions this Court might put upon the petitioner including surrender of fire arms if any and petitioner shall not enter in the work place and residents of victims.

Mr. Jatin Salwan, Advocate has put in appearance on behalf of the complainant and has filed vakalatnama, which is taken on record. Counsel for the Complainant seeks me to file response.

Let the Senior Most Investigator conducting the investigation in the FIR captioned above is to file/hand over the status report/instructions positively before the next date, failing which the concerned Superintendent of Police or an equivalent or higher Police Officer shall file/hand over their Reply/Response/Instructions/Status report by the extended date, and if it is still not filed, the concerned Inspector General of police shall have to file it.

The Reply/Response/Instructions/Status report shall also mentoon the following details under headings:

- A. Medico-Legal Certificate of the victim(s).*
- B. Victim’s current medical condition.*
- C. The time for which the victim(s) remained in the hospital.*
- D. Weapon(s) used.*
- E. Weapon and injuries attributed to the petitioner.*
- F. The evidence based on which the petitioner was arraigned as an accused.*
- G. The evidence against the petitioner.*
- H. The role of the pe oner.*

I. In case of dismissal of this petition, would the police arrest the petitioner in this FIR, and do they need the accused's police custody?

J. Petitioner's criminal antecedents, except the FIRs in which petitioner was absolved, discharged, or acquitted.

List on 19.08.2025.

Interim order to continue, subject to following conditions:

1) Petitioner is directed to join investigation on 29.07.2025 and 30.07.2025 at 10:00 am in the concerned police station, after that as and when called upon to do so.

ii) Petitioner shall surrender all his fire arms voluntarily, if any.

iii) Petitioner shall not enter the property and workplace of the victims."

5. Learned State counsel (on instructions) has submitted that the petitioners have joined investigation but their custodial interrogation is required for effecting the recovery of two *dandas* (wooden sticks).

6. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioners by arguing that allegations raised against the petitioners are direct/serious in nature and hence they ought not to be granted concession of anticipatory bail. He has further iterated that and in case the petitioners are extended the concession of anticipatory bail, there is all the likelihood that they may flee from the process of justice as also intimidate/influence the witnesses.

7. Having heard learned counsel for the rival parties and upon perusal of the record; especially keeping in view the factum of the petitioners having joined investigation & cooperated therein and their custodial interrogation being sought only for recovery of two *dandas* (wooden sticks); this Court is inclined to confirm the order dated 23.07.2025.

8. Accordingly, the petition is allowed and the order dated 23.07.2025 granting anticipatory bail to the petitioners is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

9. This order should not be treated as “blanket” order. It will not be read granting petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

10. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violate any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

11. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

12. Pending application(s), if any, shall also stand disposed off.

October 27, 2025

Naveen

**(SUMEET GOEL)
JUDGE**

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No