



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-17154-2025 (O&M)
Date of decision: 28.04.2025

Harinderpal Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

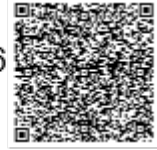
Present: Mr. Ankit Bhardwaj, Advocate with
Mr. B.S. Jaswal, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.73 dated 13.04.2023 under Sections 336, 323, 506, 148, 149 of the Indian Penal Code, 1860 and Sections 25 & 27 of Arms Act, 1959, registered at Police Station Jandiala, District Amritsar Rural.

2. On 28.03.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that there is a delay of 01 day in registration of the present FIR. The petitioner is not named in the FIR (supra) and he has been nominated as accused only on the basis of disclosure statement made by co-accused Jaswinder Singh after two months of the alleged occurrence. Further, similarly situated co-accused Gurwinder Singh @ Gogi has already been granted the concession of anticipatory bail by the Coordinate Bench of



this Court vide order dated 19.03.2024 passed in CRM-M-2622-2024 (Annexure P-6). Although the petitioner is involved in two more FIRs, however, he is on bail in those cases.

Notice of motion for 28.04.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, 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.

*In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar Tiwari Vs. State of UP and anr., 2020(1) RCR (Criminal) 831 and Maulana Mohd. Amir Rashadi Vs. State of U.P. and others, 2012(2) SCC***



382, the involvement of an accused in other criminal cases cannot be the sole ground to deny him the concession of bail.

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.”

- 3. Learned State counsel, on instructions from ASI Tarsem Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 28.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.04.2025
yakub

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