



1. *Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-*



Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
(1) Ajay Kumar @ Ajay @ Baba, aged about 32 years, and (2) Harpreet Singh, aged about 25 years	124	25.10.2024	109/118(2)/ 117(2)/126(2)/ 118(1)/115(2)/ 191(3)/190/61(2) of BNS	Nakodar Sadar	Jalandhar Rural

2. *On being pointed out by learned State counsel that, as per the prosecution’s case, the already arrested accused, namely, Lakhvinder Kumar @ Khana, and petitioner No. 1 – Ajay Kumar @ Ajay @ Baba, have been attributed similar role in causing injuries to the injured person, namely, Simrandeep Singh, counsel for the petitioners does not press the present petition qua petitioner No. 1 – Ajay Kumar @ Ajay @ Baba.*
3. *However, counsel for the petitioner submits that no specific role has been attributed to petitioner No. 2 – Harpreet Singh, except for a general allegation that all the accused were involved in causing injuries to the victim. He further points out that, even as per the allegations, Harpreet Singh was not present at the time of the incident. Therefore, the presence of petitioner No.2 at the scene and his alleged role are yet to be clearly established by the prosecution. In such circumstances, custodial interrogation may not be necessary. The petitioner undertakes to fully cooperate with the investigation and join the proceedings if granted protection from arrest by this Court. Accordingly, a prayer is made for the grant of anticipatory bail to petitioner No.2 in the present case.*
4. *Notice of motion.*
5. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report.*
6. *Adjourned to 21.07.2025.*
7. *In the meanwhile, petitioner No.2 – Harpreet Singh is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, petitioner No.2 shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. Petitioner No.2 shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
8. *Besides, it is directed that petitioner would hand over his passport to the*



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Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

3. Thereupon on 21.07.2025, following order was passed:-

1. *There is a contradictory stand between learned counsel for the petitioner and learned State counsel with regard to the joining of petitioner in compliance to the order dated 28.04.2025.*
2. *In view of above, petitioners are granted one more opportunity to join the investigation in terms of the order dated 28.04.2025 and also directs the petitioners to fully co-operate with the Investigating Officer.*
3. *List again on 28.08.2025.*
4. *Interim order to continue.*

4. Learned State counsel had pointed out that petitioners have not joined the investigation in compliance to the directions issued by this Court and therefore one more opportunity was granted to them to join the investigation.

5. Even today also, learned State counsel informs that petitioners have again failed to join the investigation, despite granting of opportunity on 21.07.2025.

6. Since petitioners are not complying with the directions issued by this Court by failing to join the investigation, which creates an obstruction in conducting of smooth investigation, this Court is not inclined to grant any further opportunity to the petitioners, therefore, petition petition is hereby dismissed.

7. Interim order order dated 28.04.2025 is hereby vacated.

28.08.2025
amandeep

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No