



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
212

CRM-M-18168-2025 (O&M)
Date of decision: 03.05.2025

Kuldeep Gorski
State of Haryana
Versus
....Petitioner
....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tarun Singla, Advocate
for the petitioner.
Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.230 dated 25.11.2024 under Section 303 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (offence under Sections 305 & 317(2) of BNS was added and Section 303 of BNS was deleted later on), registered at Police Station Bajghera, District Gurugram.

2. On 03.04.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that there is a delay of 17 days in registration of FIR (supra), in which the petitioner is not named and he has been nominated as accused on the basis of disclosure statement made by co-accused Sonu after a gap of about four months. Further, one of the aggrieved party has already approached this Court by way of filing CRWP-



3189-2025, pointing out the conduct of the Investigating Officer. It is further submitted that similarly situated co-accused, namely, Dhani Ram has already been granted the concession of anticipatory bail by this Court vide order dated 14.02.2025 passed in CRM-M-853-2025 (Annexure P-3).

Notice of motion for 03.05.2025.

*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 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.

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 Rajesh Kumar, 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 03.04.2025 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

03.05.2025
yakub

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