



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
216

CRM-M-18551-2025 (O&M)
Date of decision: 05.05.2025

Suraj
State of Punjab
Versus
....Petitioner
....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.P. Chandran, Advocate for
Mr. Paras Jagga, 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.16 dated 25.01.2025 under Sections 333, 115(2), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Amloh, District Fatehgarh Sahib.

2. On 04.04.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that FIR (supra) has been registered as a counter-blast to FIR No.11 dated 18.01.2025 under Section 75 of BNS, which was registered at Police Station Amloh, District Fatehgarh Sahib on the statement of co-accused Pratiksha against the complainant. Further, all the injuries suffered by the complainant are simple in nature. Moreover, the maximum sentence provided for the offences,



under which the FIR (supra) is registered, is punishable upto 07 years and no notice under Section 35(3) of BNSS [erstwhile Section 41-A of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the petitioner.

Notice of motion for 05.05.2025.

*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 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."



3. Learned State counsel, on instructions from ASI Kawaljit 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 04.04.2025 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

05.05.2025
yakub

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