



**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH**

CRM-M-20075-2025 (O&M)

Date of Decision: 16.05.2025

DEEPU

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amrit Paul Nahar and Mr. Munish Puri, Advocates
for the petitioner.

Mr. Subhash Godara, Addl. AG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.0004 dated 13.01.2025, registered under Sections 115(2), 118(1), 191(3), 190 of BNS, 2023 (Section 118(2) BNS added later on), at Police Station Division No.2, District Pathankot.

2. On 09.04.2025, following order was passed:

"Prayer in this petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS, 2023'), is for grant of anticipatory bail to the petitioner in FIR No.0004 dated 13.01.2025, registered under Sections 115(2), 118(1), 191(3), 190 of BNS, 2023 Section 118(2) BNS added later on, at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner, inter alia, contends that there is an unexplained and inordinate delay of 74 days in registration of the FIR (supra). In fact, one FIR No.071 dated 08.11.2023, under Sections 341, 323, 504, 506 IPC has been registered at Police Station Damtal (Himachal Pradesh) against the complainant side and the FIR (supra) has been registered as a counter-blast to the same. He further submits that as per the allegations in the prosecution's case, the petitioner is alleged to have given leg blows and injuries No.2 and 4, which are declared grievous have been attributed to co-accused.

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In the meantime, keeping in view the 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 the Investigating Officer within two weeks from today and on doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS.

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

3. Learned State counsel on instructions from ASI Ramesh Kumar, submits that in compliance of order dated 09.04.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 09.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.

5. The petition is accordingly disposed of.

(HARPREET SINGH BRAR)
JUDGE

16.05.2025
Ajay Goswami

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