



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-20050-2025 (O&M)
Date of decision: 05.05.2025

Abdul Gafar Khan and others
.....Petitioners
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohd. Salim, Advocate
for the petitioners.
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 to the petitioners in FIR No.22 dated 07.03.2025, registered under Sections 115(2), 118(1), 126(2), 351(2), 190, 191 of BNS, 2023, at Police Station Sandaur, District Malerkotla.
2. On 09.04.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioners inter alia contends that the petitioners have been falsely implicated in the present case and the local police has acted under the influence of the complainant, who is having the links with the political leaders of the ruling party. In fact, the co-accused has approached the Senior Superintendent of Police, by submitting a complaint, however, in stead of taking any action on his complaint, the FIR (supra) has been registered and the petitioner is alleged to have given only simple injury. He further submits that the co-accused



of the petitioners namely Sabar Khan, has already been granted the concession of ad interim anticipatory bail vide order dated 04.04.2025 passed in CRM-M No.18804 of 2025 passed by this Court.

Notice of motion for 05.05.2025.

*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 petitioners are directed to appear before the Investigating Officer within two weeks from today and on doing so or in the event of arrest, the petitioners shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioners 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 petitioners to join the investigation, the petitioners would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioners 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 Inspector Gagandeep Singh, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 09.04.2025 is hereby made absolute. The petitioners 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