



224 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-22034-2025
Date of decision: 23.05.2025

JASWANT SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vijay Lath, Advocate with
 Mr. Ajay S. Dhiman, Advocate
 for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.0004 dated 26.01.2025 under Sections 333, 296, 351(2), 351(3), 324, 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Morinda, District Rupnagar.

2. On 25.04.2025, following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.0004 dated 26.01.2025 under Sections 333, 296, 351(2), 351(3), 324, 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Morinda, District Rupnagar.

Learned counsel for the petitioner, inter alia, contends that FIR (supra) was registered after a delay of 07 days, which creates a serious dent on the case set up by the prosecution. Further, on the date of incident, son of the petitioner was attacked and he was taken to the hospital. At



the time of alleged incident, the petitioner was present in the hospital and he has a prima facie proof of alibi. Even in the FIR (supra), no specific role has been attributed to the petitioner. All the offences under which the FIR (supra) has been registered, except Section 333 of BNS, are bailable in nature. The petitioner is having clean antecedents and is not involved in any other case.

Notice of motion for 23.05.2025.

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 Sanjiv Kumar, submits that in compliance of order dated 25.04.2025 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 25.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) BNSS, 2023 (*Erstwhile Section 438(2) Cr.P.C.*)

5. The petition is accordingly disposed of.

6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

May 23, 2025
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No