



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

CRM-M-22828-2025 (O&M)
Date of decision: 27.05.2025

Gourav Kumar @ Gora Dhall
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Bhumika Sachan, Advocate
with Mr. Nitin Goswami, Advocate
for Mr. Piyush Sharma, 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.41 dated 07.03.2023 under Sections 341, 324, 323, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') (Sections 326, 307, 365, 325, 120-B of IPC were added later on), registered at Police Station Sadar Fazilka, District Fazilka.

2. On 30.04.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that there is a delay of 18 days in registration of FIR (supra), which has been registered as a counter-blast to the earlier FIR No.171 dated 15.12.2022 under Sections 307, 323, 148, 149 of IPC, Police Station City Fazilka, District Fazilka, lodged on the statement of Dr. Sandeep Kumar against the complainant. Further, neither any overt



act nor any specific role has been attributed to the petitioner.

Notice of motion for 27.05.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, 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 Gian 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 30.04.2025 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

27.05.2025
yakub

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