



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

CRM-M-23965-2025 (O & M)

Date of decision: 28.05.2025

MANDEEP SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rohan Gupta, Advocate and
Mr. Anjesh Dahiya, 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.28 dated 17.02.2025 under Sections 331(4), 305, 306 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Amargarh, District Malerkotla.

2. On 03.05.2025, following order was passed:

“xxx...xxx...xxx

Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.28 dated 17.02.2025 under Sections 331(4), 305, 306 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Amargarh, District Malerkotla.

Learned counsel for the petitioner, inter alia, contends that similarly situated co-accused, namely Amrik Singh, Pargat Singh, Taranjeet Singh, Gurpreet Singh and Manpreet Singh, have already been granted the concession of anticipatory bail by this Court vide order dated 24.04.2025 passed in CRM-M-15962-2025 (Annexure P-2) and two more co-accused, namely Jagroop Singh and



Sandeep Singh, have also been granted ad interim anticipatory bail by this Court vide order dated 02.04.2025 passed in CRM-M17917-2025 (Annexure P-3). Further, no specific role has been attributed to the petitioner. The factual ingredients invoking Section 331(4) of BNS are not attracted, as the petitioner admittedly being employee, cannot be held liable for the alleged offence. After registration of FIR (supra), a compromise (Annexure P-6) has been effected between the parties and Rs.11.50 lakhs have been paid to the complainant.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Sukhjinder S. Behl, Advocate appears on behalf of the complainant and files Memorandum of Appearance in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Learned counsel for the complainant vehemently opposes the prayer for grant of anticipatory bail to the petitioners on the ground that there are serious and specific allegations against the petitioners.

Adjourned to 28.05.2025.

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 will 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 SI Beant Singh, submits that in compliance of order dated 03.05.2025 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 03.05.2025, 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.
7. Pending miscellaneous application(s), if any, also stand(s) disposed of.

May 28, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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