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

CRM-M-26651-2025

Date of decision: 16.07.2025

Sarbjit Singh and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Bhanu Pratap Singh, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.101 dated 03.12.2024 (Annexure P-1) under Sections
118(1)/115(2)/190/191(3) of BNS registered at Police Station Garhdiwal,
District Hoshiarpur.

On 15.05.2025, the 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.101 dated 03.12.2024 under Sections
118(1), 115(2), 190, 191(3) of the Bharatiya Nyaya Sanhita, 2023,
registered at Police Station Garhdiwal, District Hoshiarpur.*

*Learned counsel for the petitioners, inter alia, contends that it
is a case of version and cross-version. Petitioner No.2 also suffered
the injuries at the hands of complainant party. Further, both the
injuries suffered by the complainant are non-vital parts of the body.
Furthermore, the maximum sentence provided for the offences, under
which the FIR (supra) is registered, is punishable upto 03 years. The
petitioners are not involved in any other case and they are having
clean antecedents.*

Notice of motion for 16.07.2025.

*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 petitioners are directed to
appear before Investigating Officer within a period of two weeks from
today and thereafter, as directed by the Investigating Officer. In the*



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event of arrest, the petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners 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 petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners 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. '

Learned State counsel on instructions from ASI Jiwan Singh, at the very outset informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 15.05.2025 is hereby made absolute. The petitioners shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

16.07.2025

Neha

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