



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

CRM-M-29485-2025

Date of decision: 10.07.2025

ZAHID KHAN @ ZAHID ALI @ JAHID KHAN

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohd. Salim, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.32 dated 01.04.2025 under Sections 126(2), 221, 226, 262, 132, 351(2), 190 and 121(1) of BNS, 2023 registered at Police Station Sandaur, District Malerkotla, Punjab (Annexure P-1).

2. On 26.05.2025, following order was passed:

“The present petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.32 dated 01.04.2025 under Sections 126(2), 221, 226, 262, 132, 351(2), 190 and 121(1) of BNS, 2023 registered at Police Station Sandaur, District Malerkotla, Punjab (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR (supra) as the local police had grudge against the petitioner. Earlier, the complainant involved the petitioner in FIR No.22 dated 07.03.2025 registered under Sections 115(2), 118(1), 126(2), 351(2), 190 and 191 of BNS, 2023 at Police Station Sandaur. Furthermore, maximum



sentence provided for the offences, under which, the FIR (supra) is registered, is punishable up to five years. Learned counsel submits that co-accused of the petitioner, namely, Sadhra Begum alias Bheelo and Sabar Khan have been granted the concession of ad interim anticipatory bail by this Court in cases bearing CRM-M No.24498 of 2025 and CRM-M-25446 of 2025 vide orders dated 06.05.2025 and 15.05.2025. Moreover, no notice under Section 35(3) of BNSS (erstwhile Section 41-A of Cr.P.C.) has been issued to the petitioner.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of respondent No.1-State and waives service.

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, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 of BNSS, 2023 (Erstwhile Section 438 (2) Cr.P.C.)

Adjourned to 10.07.2025.

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

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.”

3. Learned State counsel, on instructions from ASI Dilbar Khan, submits that in compliance of order dated 26.05.2025 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 26.05.2025, 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.

(HARPREET SINGH BRAR)
JUDGE

July 10, 2025
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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No