



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
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CRM-M-30131-2025
Date of decision: 25.07.2025

Kashmir Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Garg, Advocate
for Mr. Vipin Kumar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This 2nd petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.9 dated 19.03.2025 under Sections 115(2), 118(1), 126(2), 191(3), 190, 118(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Kabirpur (Ahali Kalan), District Kapurthala.
2. The first petition i.e. CRM-M-28130-2025 was dismissed as withdrawn with liberty to file a fresh petition after incorporating Section 118(2) of BNS, which was added later on, in the head note and prayer clause.
3. On 28.05.2025, the following order was passed:-

"XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that there is a delay of 14 days in registration of FIR (supra), which creates a serious dent on the case set



up by the prosecution. Further, it is a case of version and cross-version. The complainant suffered self-inflicted injuries from friendly hand, as he himself is a retired doctor. The injury attributed to the petitioner is on non-vital part of the body. It is further contended that prior to registration of FIR (supra), mother of the petitioner lodged FIR No.16 dated 13.04.2024 under Sections 323, 326, 148, 149, 120-B of the Indian Penal Code, 1860, at Police Station Kabirpur, District Kapurthala, against the complainant. In fact, the petitioner side called the police at the spot by reporting the matter on the police helpline No.112 and the complainant side is the aggressor party.

Notice of motion for 25.07.2025.

*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.”

- 4. Learned State counsel, on instructions from ASI Satwinder Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 5. In view of the statement of learned State counsel, order dated 28.05.2025 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).
- 6. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

25.07.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No