



208

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

CRM-M-30442-2025

Date of decision: 11.07.2025

Jeeva and another

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Yaseen Sethi, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.49 dated 22.02.2025 under Sections 115(2)/118(2)/118(1)/351(2)/3(5) of BNS registered at Police Station Division No.7 District Ludhiana.

On 28.05.2025, the following order was passed:-

'This first petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioners in case bearing FIR No. 49 dated 22.02.2025 under Sections 115(2), 118(2), 118(1), 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023 at Police Station Division No. 7, District Ludhiana.

Learned counsel for the petitioners inter alia contends that coaccused namely Binder and Shehnsah have already been granted the concession of regular bail by learned Judge, Special Court, Ludhiana vide order dated 21.04.2025 (Annexure P-5) and the only non-bailable offence involved in the FIR(supra) is 118(2) BNS. Further, with the intervention of respectable of society, a compromise has been effected between the parties on 27.03.2025 (Annexure P-2) and a petition seeking quashing of FIR(supra) on the basis of compromise is likely to be filed shortly.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Anmol Jindal, Advocate has put in appearance on behalf of complainant and injured i.e. respondents No. 2 and 3 and admitted the factum of compromise and submits that he has no objection, in case the present petition is allowed.

*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; Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Mohd. Muslim alias Hussain Vs. State (NCT of Delhi) 2023 SCC OnLine SC 352**, at the first instance, the petitioners are directed to appear before the Investigating Officer within one week from today and on their doing so or in the event of arrest, the petitioners shall be*



CRM-M-30442-2025

-2-

admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioners shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

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

Adjourned to 11.07.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court. '

Learned State counsel on instructions from ASI Malkit Singh, at the very outset informs the Court that petitioner No.1, namely, Jeeva, has joined the investigation and his custodial interrogation is not required, whereas, petitioner No.2, namely, Raja, has not joined the investigation.

In view of the statement of learned State counsel, order dated 28.05.2025 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.).

However, petitioner No.2, namely, Raja, is again directed to join the investigation. In case, petitioner No.2, namely, Raja, fails to comply with the order passed by this Court, the State would be at liberty to approach this Court for cancelation of the relief granted by this Court.

The petition stands disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

11.07.2025

Neha

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