



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

219

CRM-M-31684-2025 (O&M)  
DATE OF DECISION: 21.07.2025

DEEPAK SINGH ALIAS DEEPU AND ANOTHER  
...PETITIONERS

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. PKS Phoolka, Advocate for the petitioner(s).

Mr. Rajiv Verma, Sr. DAG, Punjab.

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SANDEEP MOUDGIL, J (ORAL)

1. Prayer

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR no. 38 dated 20.03.2025 registered under Sections 118(1), 118(2), 115(2), 191(3) and 190 of BNS, 2023 at P.S. Nathana, Bathinda, District Bathinda.

2. Contentions

On behalf of the petitioner

Learned counsel for the petitioners submit that the instant petition already stands withdrawn qua petitioner No.1. He has argued that as per allegations, petitioner No. 2 (hereinafter referred to as 'the petitioner') was armed with wooden stick but no injury was attributed upon him which is also evident from a plain reading of the FIR. He has further argued that no overt act has been attributed to him, moreover, there is unexplained delay of 3 days in lodging the FIR.



Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

**On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner was part of unlawful assembly and was armed with wooden stick and intention to commission of offence also cannot be ignored.

3. **Analysis**

Be that as it may, it is an undisputed fact that the petitioner was armed with a stick; however, no injury has been caused by him, nor has any overt act been attributed to him. As far as the argument regarding the petitioner's intention or his role as part of the offending group is concerned, this remains a matter for the Trial Court to assess during the course of the evidence. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating



Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**21.07.2025**  
*anuradha*

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