



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

207

CRM-M-37171-2025 (O & M)

Date of decision: 24.09.2025

GURSEWAK SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Shivender Pal Singh, Advocate for
Mr. B.S.Bhalla, Advocate, for the petitioner.

Mr. M.S.Bajwa, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.77 dated 17.06.2025 under Section 25 of the Arms Act, registered at Police Station Sadar, Gurdaspur.

2. On 16.07.2025, this Court passed the following order:

“Petitioner is seeking the concession of anticipatory bail in FIR No.77 dated 17.06.2025 under Section 25 of The Arms Act, registered at Police Station Sadar, Gurdaspur.

Learned counsel for the petitioner, inter alia, contends that the petitioner came to be nominated as an accused pursuant to a disclosure statement allegedly suffered by co-accused Rajbir from whom a country-made pistol was purportedly recovered. It has been contended that the petitioner has never ever been involved in any case under The Arms Act and hence, it points to his false implication; the evidentiary value of the disclosure statement on the basis of which the petitioner has been nominated as an accused is of a weak nature.

Notice of motion.

On the asking of the Court, Mr. H.S. Deol, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the respondent.

Adjourned to 27.08.2025.

No coercive steps be taken against the petitioner till the next date of hearing.”

3. On 27.08.2025, this Court passed an order which reads thus:

“Learned counsel submits that the petitioner is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

The petitioner is directed to join the investigation on or before 08.09.2025. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 482(2) of BNSS, 2023.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 24.09.2025.”

4. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

5. Learned State counsel on instructions from ASI Kulbir Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

6. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 27.08.2025 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

7. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

24.09.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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