



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

CRM-M-37247-2025

Date of Decision:17.07.2025

AJAY KUMAR ALIAS AJAY

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Swati Verma, Advocate for the petitioner.

SANDEEP MOUDGIL, J. (Oral)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in the FIR No. 17 dated 21.01.2025 under Sections 115(2), 118(1), 117(2), 351(2), 3(5) of BNS 2023 (Sections 118(2), 238 of BNS, 2023 added later on) registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

2 Contention

On behalf of the petitioner

Learned counsel for the petitioner argues that the petitioner has been falsely implicated in the present case, he is accused of giving spade handle blows to the complainant on his nose and lip but he has no role in the alleged accusations rather complainant had caused injuries to his brother and friend. He further submits that the injuries attributed to the petitioner are simple in nature. He undertakes, on instructions, that the petitioner is ready



and willing to cooperate with the investigation and shall appear as and when required.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that allegations against the petitioner are serious in nature as the complainant has suffered one injury on his head and he is still under observation.

3. **Analysis**

Be that as it may, upon due consideration of the submissions advanced and, in particular, taking note of the fact that injuries attributed to the petitioner are simple in nature and co-accused Ajay Kumar has already been granted anticipatory bail by this Court in CRM-M-13622-2025 vide order dated 11.03.2023 this Court is of the considered opinion that custodial interrogation of the petitioner is not warranted at this stage.

In the light of above, this Court finds no cogent or compelling reason to deny bail to the petitioner, particularly when he has expressed *bona fide* intent, and has undertaken to join and cooperate with the investigation so as to enable timely submission of the final report by the Investigating Agency.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer



concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 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 a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

17.07.2025

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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>