



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

105

CRM-M-37192-2025

*Date of decision: 16.07.2025***Ashok Kumar****.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Saurav Khurana, Advocate for the petitioner.

Mr. Jastej Singh, Addl.AG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.93 dated 12.04.2025 under Sections 109,115(2), 118(1),117(2),126(2),351(3),191(3),190,61(2) of BNS, 2023 registered at P.S Dera Bassi, SAS Nagar.

2. Contention**On behalf of the petitioner**

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is a case of version and cross version. It is submitted that neither the petitioner was present at the place of occurrence nor has he caused any injury to the complainant. Moreover, it is submitted that the present FIR is the result of political vendetta as the nephew of



the petitioner contested the election for the post of Sarpanch from Congress party in the elections while the complainant belongs to the ruling party.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jastej Singh, Addl.AG Punjab accepts notice on behalf of the respondent-State and prays for denial of the concession of bail by submitting that custodial interrogation of the petitioner is required to ascertain the facts stated in the FIR as he has been named as a part of the attacking mob.

3. **Analysis**

Having perused the contents of the petition including the fact that the State has failed to establish the presence of petitioner at the place of occurrence or any he has inflicted any injury on the complainant. Thus in the opinion of the Court, custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

4. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. 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 ten days and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

16.07.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No