



214

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

CRM-M-38790-2025

Date of decision: August 20, 2025

Sukhdeep Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:** Mr. Balbir Kumar Saini, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Mr. Arshdeep Singh Brar, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.134 dated 14.06.2025, under Sections 109, 115(2), 3(5) of the BNS, 2023 (Old Sections 307, 323, 34 of the IPC), registered at Police Station Dharmkot, District Moga.

2. On 22.07.2025, the following order was passed:

“Apprehending his arrest in FIR No.134 dated 14.06.2025 registered for offences punishable under Sections 109, 115(2), 3(5) of BNS 2023 (Old Sections 307, 323, 34 of IPC) at Police Station Dharmkot, District Moga; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioner, inter alia, contends that the petitioner has been attributed the role of Lalkara only, the co-accused to whom the injury under Section 109 of BNS (earlier Section 307 IPC) has been attributed stands arrested & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.



On the strength of advance notice; Mr. Gurpartap S. Bhullar, AAG, Punjab has entered appearance on behalf of the respondent-State of Punjab.

Adjourned to 20.08.2025.

The petitioner is directed to appear before the Investigating Officer on 29.07.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel (on instructions) has stated that pursuant to the order dated 22.07.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required.

4. Learned counsel for the complainant has vehemently opposed grant of anticipatory bail to the petitioner. Learned counsel has argued that the allegations leveled against the petitioner are serious in nature. He has iterated that in case, the petitioner is extended the concession of anticipatory bail, there is all likelihood that the petitioner may flee from the process of trial and also interfere in the investigation and intimidate the witnesses.

5. Keeping in view the entirety of the factual milieu of the case and the stance of the State; especially, the petitioner having joined investigation and not required for custodial interrogation, the interim order dated 22.07.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. Petition stands allowed, accordingly.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.



8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 20, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No