

**CRA-S-2343-2025(O&M)****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****209****CRA-S-2343-2025(O&M)****Decided on: 18.11.2025****Bhushan Kumar****.....Appellant****Versus****State of Punjab and another****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Munish Garg, Advocate
for the appellant.

Mr. Bareen Pratap Singh, AAG Punjab

**********SANJAY VASHISTH, J.**

1. Present appeal has been filed by the appellant, challenging the order dated 25.07.2025, whereby anticipatory bail petition filed by him, in case, FIR No.294 dated 02.07.2025, under sections 115(2), 351(3) of BNS, 2023 and Section 3(1)(r) of the SC&ST Act, 1989 (Amendment 2015), at PS City Barnala, has been dismissed.

2. On 31.07.2025, following order was passed:

“(i) Present appeal has been filed by the appellant, challenging the order dated 25.07.2025, whereby anticipatory bail petition filed by him, in case, FIR No.294 dated 02.07.2025, under sections 115(2), 351(3) of BNS, 2023 and Section 3(1)(r) of the SC&ST Act, 1989 (Amendment 2015), at PS City Barnala, has been dismissed.

(ii) Learned counsel for the appellant, inter alia, contends that as per the FIR, admittedly, appellant and complainant –Satwinder Singh and even his another associate Ram Singh, were not knowing each other, therefore, no offence under SC/ST Act, 1989, is made out. Even, no complaint was

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moved immediately after the alleged occurrence. Thus, by twisting the facts on next day, complaint has been moved and thereupon, FIR has been registered. Otherwise also, counsel for the appellant submits that appellant is ready to settle all the disputes with the complainant, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the appellant in the present case.

(iii) Notice of motion.

(iv) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

(v) Adjourned to 18.11.2025..

(vi) In the meanwhile, the appellant is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the appellant shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The appellant shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(vii) Besides, it is directed that appellant would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, appellant would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the appellant contends that in compliance to the order dated 31.07.2025 passed by this Court, appellant has joined the investigation on 13.11.2025, yet the appellant has failed to submit his passport to the investigating officer.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the appellant of joining the investigation on 13.11.2025 by the appellant, and submits that as of now, custodial interrogation of the appellant is not required for the purpose of investigation.



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5. Heard learned counsel for the parties.

6. Since, appellant has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 31.07.2025 passed by this Court is hereby made absolute. However, instant order of confirmation of interim order dated 31.07.2025 would become inoperative, if the appellant does not submit the passport to the investigating officer or to the concerned Court within a period of one week from today. If the passport is not possessed or any such passport is not issued to the appellant by the concerned passport authority, in regard to non-possessing of any passport, the appellant would submit an affidavit to the investigating officer in that regard within one week. Accordingly, present appeal is allowed.

However, appellant shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

(SANJAY VASHISTH)
JUDGE

18.11.2025

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Whether Speaking/Reasoned:

YES/NO

Whether Reportable:

YES/NO