

2025:PHHC:124817



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

CRM-M-42686-2025

Date of decision: September 11, 2025

Nachhatar Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. R.S. Bains Senior Advocate with
Mr. Amarjeet, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Mr. Harkirat Singh Randhawa, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of
concession of anticipatory bail to the petitioner in case FIR No.104 dated
01.07.2025 registered for offences punishable under Sections 115(2), 126
(2), 118(1), 351(2), 351(3), 191(3) & 190 of BNS 2023 (Sections 333 and
118(3) of BNS 2023 added lateron vide G.D. No.14 dated 12.07.2025) at
Police Station Samana, District Patiala.

2. On 12.08.2025, following order was passed:

*“Apprehending his arrest in FIR No.104 dated 01.07.2025
registered for offences punishable under Sections 115(2), 126 (2), 118(1),
351(2), 351(3), 191(3) & 190 of BNS 2023 (Sections 333 and 118(3) of
BNS 2023 added lateron vide G.D. No.14 dated 12.07.2025) at Police
Station Samana, District Patiala; the petitioner has preferred this petition
under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking
pre-arrest bail.*

Learned Senior Counsel for the petitioner, inter alia, contends that the case in hand is of version and cross-version, the petitioner has been attributed only Lalkara, no specific injury has been attributed to the petitioner & 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.

At this stage, Mr. Harkirat Singh Randhawa, Advocate has entered appearance on behalf of the complainant and filed his power of attorney. He has opposed the grant of ad-interim anticipatory bail to the petitioner by arguing that the allegations against the petitioner are serious in nature and case is not of version and cross-version.

Adjourned to 11.09.2025.

The petitioner is directed to appear before the Investigating Officer on 19.08.2025 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 the petitioner has joined investigation, and his custodial interrogation is not required.

4. Learned counsel has for the complainant has opposed the grant of anticipatory bail to the petitioner by arguing that there are direct and serious allegations against the petitioner. He has further iterated that in case, the petitioner is extended the concession of anticipatory bail, he may abscond the process of justice as also intimidate the witnesses.

5. Having heard learned counsel for the parties and upon perusal of the record, and in view of the stance of the State, the interim order dated 12.08.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

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, 2023 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

September 11, 2025

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No