

2025:PHHC:132419



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

214

CRM-M-44554-2025 (O&M)
Date of decision: 23.09.2025

Sukhwinder Singh**...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. C. S. Bakshi, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

Mr. Ramandeep, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 482 of BNSS, 2023 seeking pre-arrest bail in case DDR No.21 dated 14.09.2024, registered under Section 299 of BNS in FIR No. 85 dated 12.09.2024, registered under Sections 115(2), 126(2) and 3(5) BNS, 2023 and Sections 3(1) of the SC & ST Act, 1989, registered at Police Station Ghagga, District Patiala.

2. Vide order dated 18.08.2025, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 18.08.2025, passed by this Court, reads as under:

“...The aforementioned FIR has been registered on the basis of complaint lodged by the present petitioner on 12.09.2024 making allegations that the members of the

2025:PHHC:132419



complainant party had started hurling abuses to him and had physically assaulted him. On 14.09.2024, the aforementioned DDR was registered on the basis of a complaint submitted by the complainant Karaj Singh alleging that on 27.07.2024, the petitioner became aggressive and caught hold of beard of the complainant and pulled the same thereby causing humiliation to his religious sentiments, he being Amritdhari Sikh. FIR was registered, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of pre arrest bail which had been dismissed by the learned Additional Sessions Judge, Patiala vide order dated 29.07.2025.

It is inter alia contended by learned counsel for the petitioner that the provisions of Section 299 of BNS are not at all attracted in this case. DDR has been lodged by the complainant Karaj Singh as counter blast to the FIR already lodged by him on 12.09.2024. He is ready to join the investigation and his custodial interrogation is not required neither any recovery is to be effected.

Notice of motion.

Ms. Ramta Chowdhary, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent – State and seeks time to file reply.

Adjourned to 23.09.2025.

Notice to respondent no.2 be also issued.

Dasti.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his satisfaction. The

2025:PHHC:132419



petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

It would, however, be open to the learned State counsel to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.08.2025 and he is not required for custodial interrogation. However, learned counsel for the complainant has opposed the prayer of the petitioner but he has not been able to make out a case for denial of benefit of bail to the petitioner.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 18.08.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of BNSS.

23.09.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No