



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-46346-2025

BAGLA ALIAS BAGA SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CRM-M-46548-2025

SUDESH ALIAS BATTA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

Decided on: 08.12.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Davinder S. Saini, Advocate,
for the petitioners (in both the cases).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. S.K. Sinha, Advocate, for
Mr. Vikramjeet Singh, Advocate,
for the complainant.

SANJAY VASHISTH, J.

1. By this common order, both the aforementioned petitions, i.e. CRM-M-46346-2025 and CRM-M-46548-2025 are being disposed of, as the prayer made in both the petitions are identical.
2. Both the petitions have been filed under section 482 of BNSS, 2023, seeking grant of anticipatory bail to the petitioners, in case bearing FIR No.202, dated 02.11.2022, under Section(s) 302, 323, 307, 148,



149, 341 of IPC, registered at Police Station City Rupnagar, District Rupnagar.

3. After hearing learned counsel for the petitioners, it was first clarified that whether the petitioners had been summoned under Section 319 Cr.P.C. or as accused in the main case, particularly since no *challan* had ever been presented against them. Upon considering the entire factual matrix, on 27.08.2025, following order was passed by this Court:-

“1. *Present petitions have been filed by the petitioners, seeking grant of anticipatory bail in case bearing FIR No.202, dated 02.11.2022, under Section(s) 302, 323, 307, 148, 149, 341 of IPC, registered at Police Station City Rupnagar, District Rupnagar.*

2. *As per the FIR registered on 02.11.2022, accused persons namely (1) Ravi, (2) Sahib Singh, (3) Nazar, (4) Mauji, (5) Raja, (6) Neelu, (7) Tota, along with some other unknown individuals, allegedly surrounded the complainant party while being armed with sharp-edged kirpans. It is alleged that Mauji and Ravi inflicted kirpan blows on the head of Puneet (complainant's brother). Sahib and Mauji also attacked the complainant with kirpan blows to his head and left arm. While the complainant party lay injured on the ground, the remaining accused continued the assault, inflicting further kirpan injuries. As a result of the grievous injuries sustained during the attack, Puneet succumbed to his wounds.*

Subsequently, on 22.11.2022, a supplementary statement of the complainant, Ashok Singh, was recorded (Annexure P-2), in which additional accused were named, namely:- (1) Shauki, (2) Sudesh @ Batta (petitioner in CRM-M-46548-2025), (3) Prince, (4) Phuman, (5) Sumit, (6) Bagla alias Baga Singh (petitioner in CRM-M-46346-2025), and (7) Nathu. During the course of the trial, an application under Section 319 Cr.P.C. was filed seeking summoning of the following accused:- Ravi, Nazar, Sumit, Nathu, Bagla, Batta, Shauki, Prince, Geeta, Lekhraj, Balraj, and Mahipal. The application was partly allowed, and vide order dated 13.05.2023 (Annexure P-3), Ravi was summoned under Section 319 Cr.P.C.

3. *It is pertinent to mention that both the petitioners, despite neither being charge-sheeted nor*



summoned under Section 319 Cr.P.C., had sought similar relief, which has been declined.

4. *On the previous date of hearing in CRM-M-46346-2025, i.e., 25.08.2025, learned State counsel was granted time to clarify the factual aspects to remove any prevailing confusion regarding the petitioner's status in the case.*

5. *Today, the concerned Investigating Officer, Pawan Kumar, SHO of the police station, is present before the Court, and after examining the case record and seeking the necessary instructions, learned State counsel informs the Court that petitioners were indeed nominated as accused in the supplementary statement recorded 20 days after the date of registration of FIR, i.e., on 22.11.2022. However, since the investigation concerning them had not been finalized and they had not been arrested, final report submitted to the Court of the area Magistrate pertains only to the accused, who had been arrested.*

Furthermore, learned State counsel clarifies that petitioners were never declared innocent by the investigating agency. Therefore, it appears that their inclusion in the application under Section 319 of the Cr.P.C. filed by the prosecution before the trial Court was inadvertent.

6. *On the other hand, counsel for the petitioners contends that petitioners have been implicated in the case without any valid basis, as their names were not mentioned in the original FIR. They were only nominated as accused by the complainant, Ashok Singh, in a supplementary statement which was recorded 20 days after the date of registration of FIR, alongside several other individuals.*

Furthermore, no specific role or involvement has been attributed to the petitioners in that statement. Counsel also submits that petitioners are ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioners in the present case.

7. *Be that as it may, since the petitioners continue to be accused in the case and have a genuine apprehension of arrest, their plea for anticipatory bail is maintainable.*

8. *List again on 20.11.2025, to enable learned State counsel to file status report in the matter.*

9. *Meanwhile, the petitioners (in both the cases) are directed to join the investigation as and when required to do so by the Investigating Agency.*



In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

10. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.*

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

11. *A photocopy of this order be placed on the file of other connected case.”*

4. Thereafter, on 20.11.2025, following order was passed by this Court:-

“1. *Mr. Vikram Jeet Singh, Advocate, puts in appearance on behalf of the complainant, and files his power of attorney in Court today, which is taken on record.*

2. *Before addressing of the arguments, counsel for the complainant points out that after granting of the concession of interim anticipatory bail to the petitioners by this Court, vide order dated 27.08.2025, petitioners and other co-accused threatened and caused injuries to the complainant – party once again, and in that regard, one FIR has been registered against the petitioners and other co-accused.*

3. *Copy of the said FIR has been handed over to learned State counsel in the Court itself, by counsel for the complainant.*

4. *Learned State counsel prays for grant of some time to verify the contentions made by counsel for the complainant today before this Court, and then to file status report in the matter.*

5. *List again on 08.12.2025.*

To be shown in the urgent list.

6. *Interim order to continue.*

7. *A photocopy of this order be placed on the file of other connected case.”*



5. Today, counsel for the petitioners submits that in compliance of the order dated 27.08.2025 passed by this Court, both the petitioners have joined the investigation, and fully co-operated.

Further submits that even in the supplementary statement of the injured Ashok Singh, no specific injury has been attributed to either of the petitioners. It is also asserted that petitioners are willing to join the investigation as many times as required to the satisfaction of investigating officer. Thus, he prays for confirmation of the interim anticipatory bail order dated 27.08.2025.

4. On the other hand, learned State counsel has filed one exhaustive status report dated 05.12.2025 in the Court today and the same is taken on record.

5. Referring to paragraph Nos.8 and 9 of the status report, learned State counsel submits that although the petitioners joined investigation on 30.09.2025, in compliance to the order dated 27.08.2025 passed by this Court, but they subsequently assaulted the injured Ashok Singh and caused simple injuries to him. This alleged incident resulted in registration of another FIR against both petitioners, i.e. FIR No.267 dated 07.10.2025, under Sections 118(1), 191(3), and 190 of the BNS, at Police Station City Rupnagar, District Rupnagar. On this basis, learned State counsel argues that petitioners are not entitled to the concession of anticipatory bail.

6. At this stage, responding to the submissions addressed by learned State counsel, counsel for the petitioners contends that petitioners have again been falsely implicated in the second case, i.e. FIR No.267



dated 07.10.2025 (supra), with the sole intention of defeating the protection granted by this Court. He further submits that even in the said case, learned Additional Sessions Judge, Rupnagar, has granted the concession of anticipatory bail to the petitioners, vide order dated 04.12.2025.

Copy of the order dated 04.12.2025 passed by learned Additional Sessions Judge, Rupnagar, has been produced in Court by counsel for the petitioners, and the same is taken on record.

7. Heard learned counsel for the parties.

8. Taking note of the submissions addressed by counsel for the parties, as recorded here above, and upon perusal of the present petitions, status report, and order dated 04.12.2025, and considering the fact that both the petitioners have already joined the investigation, ad-interim bail order dated 27.08.2025 passed by this Court in both cases, is hereby made absolute. **Accordingly, present petitions are allowed.**

However, petitioners 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.

9. Accordingly, both the petitions stand disposed of.

10. However, present order would be subject to the submission of passports of the petitioners to the Investigating Agency or to Court concerned, if they possess, within a period of one week from today. Otherwise, they would submit an affidavit, disclosing the fact that they do not possess any part.

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It is also clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

11. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

08.12.2025
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO