

CRM-M-47081-2025
Date of Decision: 03.11.2025

Versus

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

“The present petition for grant of pre-arrest bail has been filed by petitioner-Jashanpreet, an accused in FIR No.0079 dated 02.08.2025, registered against him for commission of offence

punishable under Section 118(1), 115(2), 191(3), 190 of BNS, 2023 (offence under Section 118(2) of BNS, 2023 added subsequently), at Police Station Arif Ke, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case at the instance of complainant-Balwant Singh. The story put forth by the prosecution seems highly improbable. According to the complainant, eight persons unleashed an attack on him, but he only suffered four injuries. Continuing further learned counsel for petitioner submits that the petitioner was not even present at the site but was arrayed as co-accused being son-in-law of Bakhshish Singh (with whom complainant had prior enmity). It has further been submitted that even if the story as alleged by the complainant party is taken to be true at its face value (though not admitted), the only role attributed to the present petitioner is that he gave a 'danda' blow to complainant which hit him on his left eye. The said injury was declared 'simple' in nature. Learned counsel further submits that the petitioner who is not involved in any case, is willing to join investigation as and when called by the Investigating Officer.

Notice of motion.

Mr. Kamalpreet Bawa, DAG Punjab, accepts notice on behalf of State of Punjab and seeks time to file detailed status report.

Mr. Ajay Pal Singh Sandhu, Advocate has filed memo of appearance to represent complainant and has opposed the request for grant of pre-arrest bail on the ground that the blow attributed to the present petitioner hit the complainant just below his left eye (delicate portion of the face) and the fact that accused/petitioner was a member of an unlawful assembly which unleashed attack on the complainant, dis-entitles him for grant of pre-arrest bail, more so, when recovery of the weapon is yet to be affected.

Without commenting anything on the merits of the case, in the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the

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

Adjourned to 03.11.2025.”

4. Learned State counsel, on instructions from ASI, Gurpreet Singh, 275/FZR, District Ferozepur, states that the petitioner has joined the investigation and is not needed for any further investigation.

5. Keeping in view the fact that petitioner has joined the investigation, interim bail granted vide order dated 27.08.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. Pending application, if any, also stands disposed of.

03.11.2025

Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No