

CRM-M-47778-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-47778-2025
Decided on: 26.11.2025

Vishal alias Vishal Bhagat

Vishal alias Vishal Bhagat

.....Petitioner

Versus

State of Punjab

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. Bareen Pratap Singh, AAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.0011 dated 31.01.2025, under Sections 109, 118(1), 115(2), 191(3), 190 of BNS at PS Division No. 1, District Pathankot.

2. On 29.08.2025, following order was passed:

“(i) Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Vishal alias Vishal Bhagat, aged about 21 years	0011	31.01.2025	109, 118(1), 115(2), 191(3), 190 BNS	Division No. 1	Pathankot

(ii) Learned counsel for the petitioner, inter alia, contends that as per the allegations in the FIR, petitioner is stated to have given a dattar blow on the little finger of the right hand of the injured person, Abhinav. It is submitted that the



CRM-M-47778-2025

incident was, in fact, a minor scuffle, and the injury attributed to the petitioner is simple in nature.

(iii) It is further submitted that none of the injuries sustained by the injured Abhinav have been opined to be dangerous to life. Therefore, no offence under Section 109 of the Bharatiya Nyaya Sanhita (BNS) can be said to have been committed by the petitioner or any of the other accused persons in the present case. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

(iv) Notice of motion.

(v) On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, appears on behalf of the respondent-State and produces photocopy of the medical opinion given by the concerned doctor, i.e., the Medical Officer, Civil Hospital, Pathankot. The said opinion clearly states that the patient did not undergo the X-ray and MRI as advised, and therefore, nature of the injuries could not be commented upon.

For reference, opinion rendered by the doctor to the Station House Officer, Division No.1, Pathankot, is reproduced as under:-

"Subject:- Information about nature of injury regarding opinion of Pt. Abhinav s/o Satpal, Age 20 years,

MLR no.:- 12/SK/29/01/25/CH/PTK

Sir/Madam,

Pt. Came with A/H/O Physical assault for MLR conducted on dated 29.01.25, MLR no.:- 12/SK/29/01/25/CH/PTK, Injury no 1, 2, 3 was kept under observation, X-Ray and MRI both hands (right and left) and, NCCT head was advised for MLR purposes, but Pt. Did not go for X-ray and MRI advised, So nature of Injury cannot be commented.

[Signatures]"

(vi) Adjourned to 26.11.2025.

(vii) 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.).

(viii) Besides, it is directed that petitioner 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.



CRM-M-47778-2025

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

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance to the order dated 29.08.2025 passed by this Court, petitioner has joined the investigation on 11.09.2025.

4. Learned State counsel has filed status report in the Court today and the same is taken on record. He on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 11.09.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 29.08.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

The petitioner 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.

However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he does not possess any part.

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

(SANJAY VASHISTH)
JUDGE

26.11.2025

reena

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