



CRM-M-47821 of 2025

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

279

CRM-M-47821 of 2025

Date of Decision: 04.09.2025

Salwinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Anmol, Advocate for the petitioner.

Mr. Satvir Singh Mander, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.10 dated 08.02.2024 registered under Sections 302 and 506 of IPC, at Police Station Mallanwala, District Ferozepur.

2. Learned counsel for the petitioner argued that the present FIR was registered against Bachittar Singh and after completion of the investigation, final report was presented in which only the name of Bachittar Singh figured. During the proceedings of the trial, Gurjant Singh stepped into witness box as PW-7 and in his examination-in-chief, he totally changed his stand as earlier given to the police and set up a new story and the petitioner was wrongly summoned in this case under Section 358 of BNSS to face trial as an additional accused vide order dated 27.03.2025. She further argued that except for the statement of Gurjant Singh, there is no iota



of evidence against him. Since the present petitioner has been summoned under Section 358 of BNSS, therefore, he apprehends his arrest, on his appearance before the trial Court.

3. On the other hand, learned State counsel has filed the reply in the matter, which is taken on record and while referring to the same, has opposed the prayer for grant of anticipatory bail by submitting that the petitioner has been summoned in a case of murder, which is a serious offence. However, in the said reply, it is stated that during investigation, no role of the petitioner has come forward and he is not required in the present case.

4. I have heard learned counsel for the parties and perused the record of the case.

5. Admittedly, the petitioner was not named in the FIR, however, he has been summoned now under Section 358 of BNSS, vide order dated 27.03.2025. Since he has been summoned under Section 358 of BNSS, he is not required for any investigation or interrogation purposes and so has also been stated in the reply filed by learned State counsel. The present petitioner is only to face the trial for which his presence is required. That being so, no useful purpose would be served by sending the petitioner behind the bars.

6. Considering the facts and circumstances mentioned above, the petitioner is directed to surrender before the trial Court within a period of two weeks. It is further directed that in that event, if the petitioner surrenders and appears before the trial Court, he shall be admitted to bail, on his furnishing bail/surety bonds, subject to the satisfaction of the concerned

trial Court.

7. In case the petitioner does not surrender before the trial Court within the stipulated period of two weeks, the present order shall be deemed to be inoperative.

8. Nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently and the observations made in the present petition are only for the purpose of adjudicating the present petition.

9. The present petition is disposed of accordingly.

04.09.2025

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No