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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-59184-2025 (O&M)
Date of Decision:03.12.2025

Gurbir Sihgh and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Gurvinder Singh Khattri, Advocate, for
Mr. Khushveer Singh Mann, Advocate,
for the petitioners.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. On 17.10.2025, this Court had passed the following order:-

“Learned counsel inter alia contends that the petitioners besides 10 others have been implicated in the present case by levelling vague allegations. The petitioners though were members of the committees, which the deceased was running, however, had not been in contact with him for several months prior to the alleged incident, thus have no role to play. There is no allegation levelled which would have made their case fall within the definition of abetment as defined under Section 45 BNS, so as to constitute the offence under Section 108 BNS. He further submits that the alleged video has not been placed on record as also the forensic authentication was not conducted to establish



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that the video contains any direct, specific or instigatory reference to the petitioners. Mere naming of a person in a video without proof of active instigation is not sufficient to constitute an offence under Section 108 BNS as per the law laid down by Hon'ble the Supreme Court in Kanchan Sharma vs. State of U.P., 2021 SCC OnLine SC 737. Co-accused namely Harman Singh, Amarjit Kaur and Shamsher Singh alias Shera against whom the similar allegations have been levelled, stand granted interim anticipatory bail by this Court vide orders dated 01.10.2025 and 16.10.2025. The petitioners are not involved in any other case and are ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Ms. Gagandeep Kaur, DAG, Punjab, accepts notice on behalf of respondent-State.

Meanwhile, the petitioners are directed to join the investigation on or before 29.10.2025. In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 482(2) of BNSS, 2023.

However, it is clarified that if the petitioners do not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 03.12.2025.

Photocopy of this order be placed on the connected file(s)."

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioners have not only joined investigation but also



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fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

3. Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners is allowed and the order dated 17.10.2025 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C. (now 482(2) of BNSS, 2023)

5. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

(AMAN CHAUDHARY)
JUDGE

December 03, 2025

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