



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

CRM-M-60891-2024

Date of Decision:09.01.2025

Harbans Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Subkhbir Maandi, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of the B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.187 dated 14.10.2024, registered under Sections 115(2), 118(1), 3(5) of BNS,2023 (later on added offence under Sections 117(1),118(2) of BNS vide DDR No.24, dated 27.10.2024, at Police Station Beas, District Amritsar (Rural).

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the statement made by Gurmej Singh son of Tota Singh. As per the complainant, the petitioner had come at the place of occurrence empty handed and had exhorted all other accused to cause injuries to the complainant side. Apart from that, no other role has been assigned to the petitioner and the injuries were allegedly caused by his co- accused. Learned counsel further contends that in fact, the petitioner had not participated in the occurrence and his custodial interrogation may not be

required in the facts and circumstances of the present case.

3. A status report by way of an affidavit of Deputy Senior Superintendent of Police, Sub Division Baba Bakala Sahib, Amritsar (Rural) has been filed on behalf of respondent-State and the same is taken on record.

4. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had instigated all the other accused to cause injuries to the complainant side and had actively participated in the commission of crime. However, he does not dispute the fact that the petitioner had not cause any injury to the complainant side.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. At this stage, the petitioner is stated to be present at the place of occurrence and except exhortion, no other role has been prescribed to him. Thus, the custodial interrogation of the petitioner may not be required, in the present case.

7. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

09.01.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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