

2025.PHHC.000574



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

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**CRM-M-62881-2024 (O&M)**  
**Date of decision: 07.01.2025**

**Vikas Kumar @ Bablu****...Petitioner**

**Versus**

**State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Mayur Karkra, Advocate  
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Ms. Pooja Jaglan, Advocate  
for the complainant.

**MANISHA BATRA, J. (Oral)**

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), the petitioner seeks anticipatory bail in case bearing FIR No. 93, dated 07.07.2024, registered under Sections 109, 140(3), 118(2), 118(1), 115(2), 351(2), 238 and 3(5) of Bharatiya Nyaya Sanhita, 2023 at Police Station Passiana, District Patiala.

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of the statement recorded by complainant Prem Singh making allegations that on 06.07.2024, he along with his cousin brother Chamkaur Singh was going on his motorcycle, when he was intercepted by the petitioner and co-accused Parveen Kumar, who opened an assault upon both of them and caused injuries to them, with an intent to kill them. Thereafter, the petitioner and co-accused pushed them inside their car and after throwing them near Cheeka town, they

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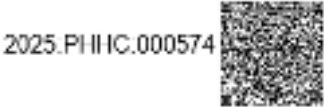


fled away. They were taken to hospital for treatment. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had filed an application before the Court of learned Additional Sessions Judge, Patiala seeking concession of anticipatory bail but the same had been dismissed, vide order dated 30.10.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is unexplained delay in reporting the matter to the police and a false story has been cooked up. No case for making any attempt to commit murder has been made out even from the allegations in the FIR. The custodial interrogation of the petitioner is not required. He is ready to join the investigation. No recovery is to be effected from him. Even otherwise, a compromise has been arrived at between the parties, which has been reduced into writing. Therefore, it is urged that the petition deserves to be allowed.

4. Power of attorney has been filed on behalf of the complainant and injured/victim(s). Their counsel has raised no serious objection to the prayer made by the petitioner and has also affirmed the fact that a compromise has been effected between the parties.

5. Status report has been filed by the respondent-State. Learned Senior Deputy Advocate General, Punjab has argued that there are serious and specific allegations against the petitioner, who has criminal antecedents. His custodial interrogation is must for conducting proper investigation in the matter and for recovering the weapon(s) of offence. Hence, it is urged that the petition is liable to be dismissed.



6. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.
7. The petitioner along with above named co-accused is alleged to have caused simple as well as grievous injuries to the complainant and his cousin brother on 06.07.2024. However, the injury, which has been attributed to the petitioner, has not been opined to be dangerous to life. Though the fact that a compromise has been arrived at between the parties is to be considered by the trial Court on the basis of the material to be produced before it on record and cannot be considered at this stage, however, keeping in view the nature of allegations as well as the nature of injuries as sustained by the victims, I am of the considered opinion that no useful purpose would be served by detaining the petitioner into custody. Accordingly, the present petition is allowed and the petitioner is granted concession of anticipatory bail subject to the condition that he would surrender before the Investigating Officer within a period of ten days from today and in that eventuality, the Investigating Officer/Arresting Officer shall release him on bail, on furnishing personal/surety bonds to his satisfaction by the petitioner. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of BNSS.
8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

07.01.2025

*Waseem Ansari*

(MANISHA BATRA)  
JUDGE

*Whether speaking/reasoned*

*Yes/No*

*Whether reportable*

*Yes/No*