

219-CRM-M-63165-2024

2025.PHHC.009343



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-63165-2024  
Date of decision: 22.01.2025

Davinder Singh .....Petitioner.

Versus

State of Punjab ....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Riffi Bala Birla, Advocate,  
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

| FIR No. | Dated      | Sections                         | Police Station                  |
|---------|------------|----------------------------------|---------------------------------|
| 166     | 09.07.2019 | 353, 186, 332, 333, 148, 149 IPC | Sadar Fazilka, District Fazilka |

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.12.2024, the petitioner has joined the investigation.

3. During the course of hearing on 16.12.2024, following order has been passed: -

*‘2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he has not committed any*



*offence. She contends that even as per the FIR the only allegation qua the petitioner is that he exhorted the other co-accused to attack the police party which is manifestly wrong. She contends that the other co-accused have already been granted the concession of bail vide orders dated 26.09.2024, passed in CRM-M-42527-2024, 'Jaginder Kaur @ Joginder Kaur vs. State of Punjab' and 21.11.2024 passed in CRM-M-51918-2024, 'Nirmala Rani and another vs. State of Punjab'(Annexures P-6 and P-7, respectively). She contends that no specific overt act is attributed to the petitioner nor he is having any criminal antecedents. Hence, the instant petition.*

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and submits that it was on the exhortation on the part of the petitioner that the co-accused had attacked the police party, however, he admits that no injury is attributed to the petitioner. He prays for time to file the status report/reply in the matter.*

5. *Adjourned to 22.01.2025.*

6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).'*

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2025.PHHC.009343



4. Learned State counsel on instructions received from ASI Birbal Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 16.12.2024 passed by this Court, interim bail granted vide order dated 16.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**22.01.2025**  
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|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |