



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

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**CRM-M-65669-2025
Date of decision: 20.11.2025**

DHOLA MAHI

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. H.S. Batth, Advocate for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Present petition under Section 482 BNSS, 2023 has been filed for grant of anticipatory bail to the petitioner in FIR No.187 dated 19.11.2021, under Sections 379, 447, 511 IPC (Section 201 IPC added later on) registered at Police Station Guruhar Sahai, District Ferozepur.
2. Petitioner was apprehending arrest for the offences under Sections 379, 447, 511 IPC read with Section 201 IPC. He had earlier applied for anticipatory bail and the Court of Additional Sessions Judge, Ferozepur had ordered the petitioner to be released on ad-interim anticipatory bail in the event of his arrest and he was directed to join the investigation, vide order dated 02.12.2021. Subsequently, the bail application was dismissed, vide order dated 13.12.2021. Thereafter, petitioner was not arrested by the police and final report was presented before the trial Court (Annexure P-4). Now, proclamation has been ordered to be issued against the petitioner to secure his presence and thereafter, he moved second anticipatory bail application but the same has been rejected by the



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Additional Sessions Judge, Ferozepur, vide order dated 08.10.2025 with the observations that the second anticipatory bail application is not maintainable and he may surrender before the trial Magistrate and trial Magistrate has been directed to dispose of the bail application within two days.

3. However, since final report has already been presented without the petitioner having been arrested, the trial Court is required to decide the bail application in terms of law laid down by the Hon’ble Supreme Court in (2022) 10 SCC 51 *Satender Kumar Antil Vs. CBI* and 2014(8) SCC 273 *Arnesh Kumar Vs. State of Bihar*, as all the offences are punishable with imprisonment for less than 07 years. The condition imposed by the learned Additional Sessions Judge that the bail application shall be decided within two days is not sustainable and the trial Court shall decide the bail application either on the same day and in case the same is not decided on the same day, the petitioner shall be released on interim bail till disposal of the bail application and shall not be taken into custody in the light of directions issued in *Satender Kumar Antil* (supra).

3. Resultantly, the present petition is disposed of.

20.11.2025
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(YASHVIR SINGH RATHOR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No