

2026.PHHC.048238



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

171-2

CRM-M-8519-2026 (O&M)

Date of decision: 27.03.2026

SAMEEM AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Navneet Kaur, Advocate, for the petitioners.

Mr. Jasjit Singh, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 BNSS, 2023, for grant of anticipatory bail to the petitioner in case FIR No.123, dated 23.10.2025, under Sections 125, 125(a)A, 125(b) BNS and 3 & 5 of Explosive Substances Act, registered at Police Station Division No.2 District Ludhiana.

2. On 13.02.2026, the Co-ordinate Bench had passed the following order:-

“XX XX

2. Learned counsel for the petitioners, inter alia, contends that in the alleged incident in which petitioners have been arrayed as accused, they themselves suffered the tragic loss of a close family member, namely Ayan, aged about 19–20 years, who was the son of petitioner Sameem and sibling of petitioners Ruby and Asian. It is submitted that, in the absence of any mens rea, the provisions of the Explosive Substances Act, 1908 are not attracted in the facts of the present case.

3. Considering the nature of the allegations and admitted position that petitioners themselves sustained personal loss, including the death of Sameem's son and damage to their own house, the primary issue that would fall for determination before the learned Trial Court is whether the incident amounts to an offence arising out of a rash and negligent act resulting in damage, injuries, and loss of life, or whether the material on record discloses the commission of any graver offence as alleged by the prosecution. It is further submitted that petitioners are ready to join the investigation and fully cooperate, provided they are granted protection from arrest.

Additionally, counsel for the petitioners submits that coaccused namely Usman Khan, has already been granted the concession of interim anticipatory bail by this Court, vide order dated 18.11.2025, passed in CRM-M-65017-2025 (Annexure P-1), and the same is

fixed for 18.05.2026. Thus, counsel prays for concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

6. Adjourned to 18.05.2026.

7. To be heard along with CRM-M-65017-2025.

8. Meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

9. Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport. It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”

3. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. She further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

4. Learned State counsel on instructions from the Investigating Officer 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.

5. 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 13.02.2026 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 482(2) of BNSS, 2023.

6. 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

27.03.2026

ashok

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