

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

CRM-M-36637-2025
Decided on: 23.03.2026

.....Petitioner

.....Respondent

Mr. Neeraj Madaan, Sr. DAG Punjab

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.89 dated 14.07.2023, under Sections 323, 325, 341, 506, 148, 149 IPC (Section 307 IPC added later on), at PS Sadar Patiala, District Patiala.

“(i) *** *** *** ***

(ii) Mr. Paras Jagga, Advocate, put in an appearance on behalf of the complainant, and files his Power of Attorney, which is taken on record.

(iii) It is submitted that the occurrence took place on 08.07.2023 and on declaration of the injury as grievous, which was attributed to the petitioner, FIR in the instant case was registered on 14.07.2025. Thereupon vide order dated 10.08.2023, petitioner was granted regular bail, under Sections 325, 323, 341, 506, 148, 149 of IPC.

(iv) Counsel further points out that only on the verbal opinion of the medical board, offence under Section 307 IPC was added on 20.09.2023.

(v) *There is no material evidence with the prosecution to prove the charges under Section 307 IPC, as the injury actually is not dangerous to life. It is a case where the injury has been obtained and opinion has not been given by the doctor*



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himself.

(v) Moreover, in view of **Pardeep Ram Vs. State of Jharkhand and Anr. 2019(3) RCR (Criminal) 538**, once petitioner has been released on bail (in the case), the bail cannot be cancelled by the Court. Rather the prosecution through the Investigating Officer has to justify the reason for seeking arrest before the Court in view of **Pardeep Ram** (supra), thus prays for grant of anticipatory bail.

(vi) Notice of motion.

(vii) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab puts in appearance on behalf of the respondent – State, and seeks some time to assist the Court.

(viii) Adjourned to 19.08.2025.

(ix) Meanwhile, arrest of the petitioner shall remain stayed under the added offence under Section 307 IPC and operation of the order dated 04.06.2025 passed by Additional Sessions Judge, Patiala (Annexure P-3) shall also remain stayed.”

3. Learned State counsel on instructions from ASI Gurdev Singh submits that during investigation, petitioner was found innocent.

4. In view of the above, the present petition for anticipatory bail does not sustain and the same is disposed of as having been rendered infructuous. However, it is clarified that in case for any purpose petitioner is required for investigation, he would be afforded one month time to avail the remedy as per law.

23.03.2026

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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

YES/~~NO~~
~~YES~~/NO