



CRM-M-37846-2025 (O&M) 1

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-37846-2025 (O&M)
DECIDED ON: 19.03.2026

GURWINDER SINGH ALIAS SHANKYPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Ashdeep Singh, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

1. Present petition has been filed by the petitioner, seeking grant of anticipatory bail, in case, FIR No.0118, dated 23.12.2024, under Sections 109, 115(2), 118(1), 303(2), 191(3), 190 of BNS (Section 117(2) of BNS added later on), registered at Police Station Chabbewal, District Hoshiarpur.

2. After hearing submissions addressed by counsel for the petitioner, on 22.07.2025, following order was passed by this Court:-

“2. Admittedly, there is no specific injury suffered by the injured namely; Ravi Kumar, which could have attracted offences u/s 109 of BNS, 2023 against any of the accused. It is the prosecution agency itself, which has added Section 109 of BNS, 2023, assuming on its own that the victim suffered several injuries and there was an intention to attempt to murder the injured Ravi Kumar. Petitioner is though attributed total seven injuries, except of one declared as grievous on the shoulder of the injured, and all other injuries have been opined to be simple.

3. Petitioner’s counsel also contends that the co-accused – Ajay has already been declared innocent



and other co-accused, i.e., Lakhbir Singh and Arjun @ Chola, who were not attributed any specific role, have already been granted concession of regular bail by this Court vide common order dated 07.04.2025 (Annexure P-2). Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

6. *Adjourned to 30.10.2025.*

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

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned State counsel submits that despite granting of interim relief vide order dated 22.07.2025, and despite the lapse of more than eight months thereafter, petitioner has failed to join the investigation and has, thus, misused the concession granted by this Court.

4. On the other hand, learned counsel for the petitioner submits that an application bearing No.CRM-9329-2026, has been filed seeking an opportunity to join the investigation, in terms of the order dated 22.07.2025.



5. It is contended that one further opportunity be granted to the petitioner to join the investigation, as at the relevant time, petitioner's wife was in an advanced stage of pregnancy, and was suffering from serious medical complications. Due to these circumstances, petitioner was unable to comply with the order dated 22.07.2025.

It is further contended that subsequently, whenever petitioner attempted to join the investigation, the concerned Investigating Officer did not permit him to do so.

6. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

7. Grounds mentioned in the application, i.e. CRM-9329-2026, as well as submissions addressed by counsel for the petitioner, appear to be untenable for the following reasons:-

(i) No medical record regarding the pregnancy of petitioner's wife has been placed on record, nor any specific details have been provided by the petitioner.

(ii) No material has been appended with the application to substantiate the alleged serious medical complications during the period when interim protection was granted.

(iii) Petitioner did not move any application at the relevant time explaining his inability to join the investigation or seeking further time.



(iv) No details have been furnished regarding the date(s) on which, or the person(s) with whom, petitioner allegedly attempted to join the investigation.

8. In view of the above, this Court does not deem it appropriate to extend the concession of anticipatory bail to the petitioner. Accordingly, present petition is dismissed.

9. Concerned Investigating Officer is directed to proceed in accordance with law forthwith, failing which appropriate disciplinary action may follow.

10. A copy of this order be forwarded to the Senior Superintendent of Police, Hoshiarpur, for information and necessary compliance.

11. Pending miscellaneous application(s), shall also stand disposed of.

19.03.2026
Lavisha

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>