



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

171-1

CRM-M-65017-2025 (O&M)

Date of decision: 27.03.2026

USMAN KHAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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

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), 125(b) BNS and 3 & 5 of Explosive Substances Act, registered at Police Station Division No.2 District Ludhiana.

2. On 18.11.2025, the Co-ordinate Bench had passed the following order:-

“XX XX

2. Learned counsel for the petitioner inter alia, contends, that in the alleged incident in which petitioner has been named as an accused, he himself lost his own son aged about 19–20 years. It is argued that in the absence of any mens rea, provisions of the Explosive Substances Act, 1908, cannot be invoked in the present case.

3. Considering the allegations and the fact that once petitioner has personally suffered the loss of his son and damage to his own house, the core issue before the trial Court would be whether the incident constitutes an offence of rash and negligent act resulting in damage, injuries, and loss of life, or whether any graver offence is actually made out. It is further submitted that petitioner is ready to join the investigation and fully cooperate, provided he is granted protection from arrest. 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 04.02.2026.

7. 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 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 counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. She further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

4. Learned State counsel on instructions from the Investigating Officer affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is 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 petitioner is allowed and the order dated 18.11.2025 granting interim bail to him, 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 petitioner fails 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 him.

(AMAN CHAUDHARY)
JUDGE

27.03.2026

ashok

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