



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

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CRM-M No.3857 of 2025 (O&M)

Date of decision: 10.02.2025

Kashmir Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rakesh Kumar Kachura, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Kamal Narula, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNS, 2023, seeking anticipatory bail in case FIR No.207 dated 19.10.2024, registered under Sections 118(1), 115(2), 351(2), 191(3), 190 of BNS, 2023 (Section 333 of BNS stands deleted vide DDR No.33 dated 15.12.2024 and Sections 118(2), 117(2) of BNS, 2023, added later on vide DDR No.27 dated 17.11.2024) at Police Station Guruharsahai, District Ferozepur.

2. On 23.01.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioners inter alia contends that the co-accused of the petitioners namely Darshan Singh and another, have approached this Court by filing a petition i.e. CRM-M No.198 of 2025 and they

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have been granted the concession of ad interim anticipatory bail by this Court on 08.01.2025 (Annexure P-3). He submits that there is a delay of 03 days in registration of the FIR (supra), which creates serious dent on the case set up by the prosecution. Lastly, learned counsel for the petitioners submits that it is a case of version and cross-version and no specific injury has been attributed to the petitioners, although the petitioners were armed with deadly weapons.

Notice of motion for 10.02.2025.

To be heard along with CRM-M No.198 of 2025.

In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, the petitioners are directed to appear before the Investigating Officer within two weeks from today and on doing so or in the event of arrest, the petitioners shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of the Investigating/Arresting Officer. The petitioners shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (erstwhile Section 438(2) Cr.P.C.).

If the Investigating/Arresting Officer does not permit the petitioners to join the investigation, the petitioners would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioners in investigation, in terms of the



order of this Court.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”

3. Learned State counsel assisted by learned counsel for the complainant and on instructions from ASI Malkiat Singh, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 23.01.2025 is hereby made absolute. The petitioners shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

10.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No