



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

225

CRM-M-34551-2025
DATE OF DECISION: 21.07.2025

YODBIR SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. PBS Goraya, Advocate for the petitioner(s).

Mr. Rajiv Verma, Sr. DAG, Punjab.

Ms. Poonam Singh Thakur, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR NO. 105 dated 17.12.2024 registered under Sections 103(1), 109, 61(2), 62, 190, 191(3), 351(2) and Sections 117(2) and 118(1) BNS, 2023 added later on and Section 25 and 27 of Arms Act, 1959 at PS. Chohla Sahib, District Tarn Taran.

2. Contentions**On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. He submits that the petitioner was empty handed and was not carrying any weapon



with him and neither any injury nor any overt act has been attributed to him. He further submits that nothing is to be recovered from him and the cause of death of the deceased is gun shot injury which is not attributed to the petitioner at all.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State/complainant

Learned State Counsel appearing on advance notice has put in appearance and has filed short reply by way of an affidavit of Atul Soni, PPS, Deputy Superintendent of Police, Sub Division Khadoor Sahib, Camp at Goindwal Sahib, District Tarn Taran, the same is taken on record.

He on instructions from Investigating officer urges that though no injury was attributed to the petitioner except being present along with his father at the time of committing of murder. He has further argued that common intention of murder of the deceased cannot be denied.

3. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties that nothing is to be recovered from him, no injury has been attributed to him and he was empty handed and the only role attributed to him is that he was present there along with his father at the spot of occurrence and except that nothing incriminating material has been produced by the prosecution. As far as the argument regarding the petitioner's intention



is concerned, this remains a matter for the Trial Court to assess during the course of the evidence. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;



(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

21.07.2025
anuradha

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