



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

CRM-M-18418-2025 (O&M)

Date of Decision: 07.05.2025

AMANPREET SINGH @ AMANDEEP @ PEETA ...Petitioner

V/S

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Jasjeet Singh Virk, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Ms. Komal Tuteja, Advocate for
Mr. Tejinderpal Singh, Advocate for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Instant petition is preferred under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') [erstwhile Section 438 of
the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] seeking
anticipatory bail in FIR No.102 dated 16.12.2024 under Sections 140(1),
115(2), 351(3), 191(3), 190 of the Bharatiya Nyaya Sanhita, 2023 (for short
'BNS') (Section 117(2) of BNS was added later on), registered at Police
Station City Balachour, District SBS Nagar.

2. On 07.04.2025, following order was passed:

*“Instant petition is preferred under Section 482 of
Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS')
[erstwhile Section 438 of the Code of Criminal Procedure, 1973 (for
short 'Cr.P.C.')] seeking anticipatory bail in FIR No.102 dated
16.12.2024 under Sections 140(1), 115(2), 351(3), 191(3), 190 of the
Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 117(2) of
BNS was added later on), registered at Police Station City
Balachour, District SBS Nagar.*

*Learned counsel for the petitioner, inter alia, contends
that there is a delay of one day in registration of FIR (supra), which
has been registered as a counter-blast to the earlier incident dated*



18.10.2024, in which the complainant is one of the accused and he caused injuries to co-accused. Further, the jurisdictional police authorities, at the behest of the complainant, aggravated the allegations to make it a more serious crime. All the injuries suffered by the complainant are simple in nature. It is further contended that two of the similarly situated co-accused, namely Anmol Singh and Sohraab, have already been granted the concession of anticipatory bail by this Court vide order of even date i.e. 04.03.2025 passed in CRM-M-6954-2025 and CRM-M-6424-2025, respectively.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner is habitual offender and he is involved in five more cases. However, he could not controvert the fact that two of the aforementioned similarly situated coaccused of the petitioner have already been granted the concession of anticipatory bail.

Adjourned to 07.05.2025.

Keeping in view the ratio of 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 petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.



*In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar Tiwari Vs. State of UP and anr., 2020(1) RCR (Criminal) 831 and Maulana Mohd. Amir Rashadi Vs. State of U.P. and others, 2012(2) SCC 382**, the involvement of an accused in other criminal cases cannot be the sole ground to deny him the concession of bail.*

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel on instructions from ASI Lakhvir Chand submits that in compliance of order dated 07.04.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 07.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSS, 2023.

5. The petition is accordingly disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.05.2025
Ajay Goswami

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