

2025:PHHC:111719



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

CRM-M-25596-2025

Date of decision: August 25, 2025

Malkit Singh alias Malkeet Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Gurpartap S. Bhullar, AAG Punjab.

SUMEET GOEL, J. (ORAL)

1. Present second petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.14 dated 14.03.2025, under Sections 132/ 221/ 115(2)/ 126/ 351(1) of the BNS, 2023, registered at Police Station Arif Ke, District Ferozepur.

2. On 19.05.2025, the following order was passed:

“Short reply by way of affidavit dated 17.05.2025 of Mr. Sukhwinder Singh, PPS, Deputy Superintendent of Police (City), District Ferozepur on behalf of respondent has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

Contends, inter alia, that all offences mentioned in the FIR are bailable and moreover there is no MLR prepared by any Medical Officer regarding the alleged assault.

Learned State counsel seeks time to verify the above factual position.

Posted for 30.07.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.”

3. Status report by way of an affidavit of Sukhwinder Singh, PPS, Deputy Superintendent of Police (City), District Ferozepur dated 23.08.2025 has been filed by the learned State counsel, and the same is taken on record. A copy thereof has been furnished to learned counsel for the petitioner.

4. Learned counsel for the petitioner, reiterating the cause of the petitioner, has submitted that the petitioner has indeed joined investigation, in terms of the order dated 19.05.2025 and his custodial interrogation is not warranted in the factual milieu of the case.

5. Learned State counsel (on instructions from ASI Gurpreet Singh) has submitted that pursuant to the order dated 19.05.2025, the petitioner has indeed joined investigation, but his custodial interrogation is required to unravel the entire truth.

6. Having heard learned counsel for the parties and upon perusal of the record; especially, keeping in view the factum of the petitioner having joined investigation in terms of the order dated 19.05.2025 and his custodial interrogation is sought for on account of arresting the co-accused and unraveling the truth, the interim order dated 19.05.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

7. Petition stands allowed, accordingly.

8. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

9. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

10. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

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

(SUMEET GOEL)
JUDGE

August 25, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No