

2025:PHHC:139562



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48394-2025

Date of decision: October 08, 2025

Harwinder Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Harpreet S. Multani, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Respondent No.2 – Dr. Sumeet Sofat in person
(**presence marked through video-conferencing**).

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of
concession of anticipatory bail to the petitioner in case FIR No.88 dated
05.05.2025 registered for offences punishable under Sections 329, 336(2),
326(3), 338, 61, 3(5) of BNS 2023 at Police Station Sadar, District
Ludhiana.

2. On 22.09.2025, the following order was passed:

*“Apprehending his arrest in FIR No.88 dated 05.05.2025
registered for offences punishable under Sections 329, 336(2), 326(3),
338, 61, 3(5) of BNS 2023 at Police Station Sadar, District Ludhiana; the
petitioner has preferred this petition under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.*

*Counsel for the petitioner, inter alia, contends that the genesis of
the FIR in question has civil overtones, a civil suit has already been filed
by the petitioner (herein) in the year 2023 which is still pending*

adjudication & the petitioner is willing to join investigation and cooperate therein.

List on 08.10.2025.

Investigating Officer of the case (alongwith case diary) is directed to remain present in Court on the next date of hearing.

The petitioner is directed to appear before the Investigating Officer on 25.09.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel (on instructions) has stated that pursuant to the order dated 22.09.2025, the petitioner has indeed joined investigation and is not required for custodial interrogation.

4. Learned counsel for complainant/ respondent No.2, who appears in person, has opposed the grant of anticipatory bail to the petitioner by arguing that there are direct/ serious allegations against the petitioner, and in case, the petitioner is extended the concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice and interfere with the prosecution evidence.

5. Having heard learned counsel for the parties and upon perusal of the record; especially in view of the factum of the petitioner having joined investigation and his custodial interrogation is not being sought; the interim order dated 22.09.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

6. Petition stands allowed, accordingly.

7. 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.

8. 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, 2023 or upon showing any other sufficient cause.

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

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

(SUMEET GOEL)
JUDGE

October 08, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No