



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

209-2

**CRM-M-6173-2025 (O&M)
Date of decision: 14.02.2025**

Nanak Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Gaganpreet Kaur, Advocate and
Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Arshdeep, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.150 dated 16.12.2024, registered under Sections 333, 118(1), 115(2), 190, 191(3) of BNS, 2023, at Police Station Vairo Ke, District Fazilka.

2. On 03.02.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated due to ongoing matrimonial dispute between co-accused, namely Rajni Bala @ Rajni @ Bhola, and her husband, who is complainant in the present case and she has already been granted the concession of ad interim anticipatory bail by this Court vide order dated 14.01.2025 passed in CRM-



M-1587-2025. Further, there is a delay of 02 days in registration of FIR (supra), which creates a serious dent on the case set up by the prosecution.

Notice of motion for 14.02.2025.

To be listed along with CRM-M-1587-2025.

*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 10 days 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.

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 Lakhbir Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. On the other hand, learned counsel for the complainant vehemently opposes the prayer of the petitioner on the ground that the complainant has lost his eye sight in the alleged assault made by the petitioner and as such, the petitioner is not entitled to concession of anticipatory bail.

5. In reply, learned counsel for the petitioner submits that on account of the injuries suffered by the complainant only the offence under Section 118(1) (erstwhile Section 324 IPC) has been added.

6. Learned State counsel affirms the fact that the complainant had only suffered simple injuries in the alleged assault.

7. In view of the statement of learned State counsel, order dated 03.02.2025 is hereby made absolute. The petitioner 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*).

8. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

14.02.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No