



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

105

CRM-M-39084-2025

Date of decision: 23.07.2025

HARPAL SINGH @ BHALU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gurnoor Singh Sethi, Advocate with  
Mr. Yajur Sharma, Advocate  
for the petitioner.

Mr. Jastej Singh, Addl. AG, Punjab.

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SANDEEP MOUDGIL, J.(ORAL)

1. Prayer

This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.38 dated 01.04.2018 under Sections 307, 323, 148, 149 of IPC, registered at Police Station Ajnala, District Amritsar Rural.

2. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has vehemently argued that the petitioner has been falsely implicated in the present case with the allegation that the petitioner has been assigned the role that he had fired 03 gun shots from his pistol but admittedly, it is a case of no injury and is a counter blast to the FIR lodged against one Sahil Arora, a companion of the present petitioner. The said GD No.20 dated 02.04.2018 (Annexure P-2) wherein injuries are alleged to have been given to Sahil Arora as is evident from medico legal report dated 01.04.2018 (Annexure P-3).



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**

Mr. Jastej Singh, Addl. AG, Punjab appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that he received the file late and he had gone through the case file just now but what is on record to say that there is no material to corroborate the allegations against the petitioner for having fired 03 gun shots as also could not refer to any injury caused on that account on the person of any of the complainant side in instant FIR No. 38 dated 01.04.2018 (Annexure P-1).

3. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made by counsel for both the parties and examination of the material available before this Court, it is found that there is no corroborative evidence and due to lack of incriminating evidence a prima facie case under Section 307, 323, 148, 149 of IPC against the present petitioner could not make out and State has failed to make out the case against the petitioner as to why his custodial interrogation is required. Hence, this Court finds no cogent 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**

**23.07.2025**

*Nisha Yadav*

*Whether reasoned/speaking?*

*Yes/No*

*Whether reportable?*

*Yes/No*