



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-30439-2025

Date of Decision : 25.08.2025

GURBAZ SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

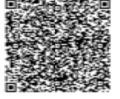
Present: Mr. S.K. Gupta, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Present petition for grant of anticipatory bail under Section 482 BNSS has been filed by the petitioner, a co-accused in case bearing G.D. No.37 dated 12.11.2024, registered against him, at the instance of one Narinder Kaur, w/o Balwinder Singh, u/s 109(1), 191(3), 190, 324 (5) of BNS, 2023 in FIR No.101 dated, 16.10.2024, u/s 118(1), 115(2), 191(3), 190 of BNS (Section 118(2) of BNS added later on) at Police Station Sadar Gurdaspur, District Gurdaspur
2. On 28.05.2025, the case was adjourned to 31.07.2025. On the said date, the matter was taken up and Mr. Vipin Mahajan, Advocate had appeared on behalf of the complainant and interim anticipatory bail was granted to the petitioner. The said order reads as under:-

“The instant petition under Section 482 of BNSS, 2023, has been filed for grant of anticipatory bail to the petitioner in G.D. No. 37



dated 12.11.2024 under Sections 109(1), 191(3), 190, 324(5) of the BNS, 2023 in FIR No.101, dated 16.10.2024, under Sections 118(1), 115(2), 191(3), 190 of the BNS, 2023 and later on added Section 118(2) of the BNS, registered at Police Station Sadar Gurdaspur.

Notice of motion.

Mr. Vipin Mahajan, Advocate has put in appearance on behalf of the complainant and has filed Memorandum of Appearance.

Short reply by way of an affidavit of Mohan Singh, PPS, Deputy Superintendent of Police, Sub-Division, City, District Gurdaspur on behalf of respondent-State has been filed and the same is taken on record.

Adjourned to 25.08.2025.

In the meantime, the petitioner is directed to be released on interim bail in case he joins the investigation within seven days on furnishing personal surety/security bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner will also come present as and when called for and cooperate in investigation and shall abide by the conditions as envisaged under Section 482(2) of BNSS, 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.’”*



3. Learned State counsel on instructions of ASI Balwinder Singh submits that accused-petitioner has since joined the investigation and recovery of the weapon has also been effected.
4. Learned counsel for the petitioner submits that in the wake of the recent judgment, the custodial interrogation of the accused is not required.
5. Learned counsel for the complainant has opposed this request and has submitted that learned counsel for the petitioner has misstated the facts on 28.05.2025, subsequently, vide order dated 31.07.2025, concession of pre-arrest bail was granted to the petitioner by this Court.
6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 31.07.2025 passed by a co-ordinate Bench of this Court, interim bail granted vide order dated 31.07.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
7. Accordingly, the present petition is allowed.

(AARADHNA SAWHNEY)
JUDGE

25.08.2025

Nisha Yadav

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>