



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

212

CRM-M-39124-2025 (O&M)

Date of decision: 28.08.2025

Mandeep Singh and Another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. K.S. Brar, Advocate for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in case FIR No.214 dated 26.10.2023 under Sections 324, 341, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 307 & 326 of IPC (added later on), registered at Police Station Sadar Fazilka, District Fazilka.
2. On 24.07.2025, this Court had passed the following order:-

“Instant petition is preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.214 dated 26.10.2023 under Sections 324, 341, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 307 & 326 of IPC (added later on), registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioners, inter alia, contends that the petitioners have been falsely implicated in the present case and no specific role has been attributed to them. Admittedly, the injuries, for which the offence under Sections 307 & 326 of IPC is invoked, have been specifically attributed to co-accused Sunil Singh and Karan Singh. Further, there is an unexplained 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 28.08.2025.

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 petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners will 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 petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners 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 counsel submits that in pursuance of the afore-mentioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

4. Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners is allowed and

the order dated 24.07.2025 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

6. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

(AMAN CHAUDHARY)
JUDGE

28.08.2025

M.Kamra

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No