



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

**216-2**

**CRM-M-19553-2025 (O&M)  
Date of decision: 05.05.2025**

Mahesh Kumar

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

**Present:** Mr. A.P. Chandran, Advocate  
for Mr. Paras Jagga, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

**HARPREET SINGH BRAR J. (Oral)**

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.16 dated 25.01.2025 under Sections 333/115(2)/191(3)/190 of BNS registered at Police Station Amloh, District Fatehgarh Sahib.

2. On 08.04.2025, the following order was passed:-

“XX XX XX XX  
*Learned counsel for the petitioner inter alia contends that FIR (supra) has been registered as a counter-blast to the FIR No.11 dated 18.01.2025 under Section 75 of BNS, which was registered at Police Station Amloh, District Fatehgarh Sahib on the statement of co-accused, namely, Pratiksha, against the complainant. Further, all the injuries suffered by the complainant are simple in nature. Moreover, maximum sentence provided for the offences under which the FIR (supra) was registered is punishable upto 07 years and no notice under*



*Section 35 of BNSS (earlier Section 41-A of Cr.P.C.) has been served upon the petitioner. He further submits that similarly situated co-accused, namely, Suraj, has been granted the concession of ad interim anticipatory bail by this Court vide order dated 04.04.2025 passed in CRM-M-18551-2025 titled as 'Suraj Vs. State of Punjab' (Annexure P-4).*

*Notice of motion.*

*On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.*

*In the meantime, keeping in view the 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**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).*

*If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him*



*to join the petitioner in investigation, in terms of the order of this Court.*

*Adjourned to 05.05.2025.*

*To be heard along with CRM-M-18551-2025.*

*Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”*

3. Learned State counsel, on instructions from ASI Kawaljit Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 08.04.2025 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*).

5. The petition stands disposed of.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**05.05.2025**

*yakub*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No