



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

214

**CRM-M-27310-2025
Date of decision: 21.07.2025**

Sukhwinder Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.S. Khinda, Advocate
for the petitioners.

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 to the petitioners in FIR No.74 dated 29.04.2025 under Sections 115(2), 118(1), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Sultanpur Lodhi, District Kapurthala.

2. On 19.05.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioners, inter alia, contends that there is a delay of 04 days in registration of FIR (supra), which creates a serious doubt on the case set up by the prosecution. The injuries suffered by the complainant have been declared simple in nature, as such, no offence under Section 118(1) of BNS is made out. Further, the petitioners are not involved in any other case and they are having clean antecedents.



Notice of motion for 21.07.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, 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 State counsel, on instructions from ASI Jinder Lal, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 19.05.2025 is hereby made absolute. The petitioners 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

21.07.2025

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No