

**CRM-M-34874-2025(O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-34874-2025(O&M)**Date of Decision: 03.09.2025**

Sonu Majhail @ Kulwinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Vijay Rana, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Sandeep Arora, Advocate for the complainant.

KIRTI SINGH, J. (Oral)

1. Apprehending arrest the petitioner has filed this petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.88 dated 25.05.2025, under Sections 76, 115(2), 118(1), 351(3) and 3(5) of BNS, registered at Police Station Division No.1, Jalandhar, Tehsil & District Jalandhar.

2. Notice of motion in the case was issued on 07.07.2025. Thereafter, vide order dated 28.07.2025, the petitioner was directed to join the investigation and the following order was passed:-

“Status report by way of affidavit of Assistant Commissioner of Police (North), Police Commissionerate Jalandhar, has been filed by the State in the Registry.

Learned counsel for the petitioner *inter alia* submits that in the present case, no specific role has been attributed to the petitioner. The petitioner was not present at the place of occurrence and has



been falsely implicated in the present case.

Per contra, the learned State counsel submits that the petitioner joined the co-accused in hurling abuses and extending threats to the complainant. She further submits that no specific weapon or individual blow has been attributed to the petitioner, however, he has actively participated in the incident.

Adjourned to 03.9.2025.

In the meantime, the petitioner is directed to join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 482(2) BNSS, 2023;-

(1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts to the case so as to dissuade him from disclosing such facts to Court or to any police officer.

(3) That the petitioner shall not leave India without prior permission of the Court.

Needless to mention that the investigating agency/officer shall continue with the investigation of the case in usual manner.”

3. Learned State counsel on instructions from ASI Sahib Singh- Investigating Officer(s), submits that in compliance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 28.07.2025 passed by this Court, is hereby made absolute.

5. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be



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confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

7. The accused/petitioner 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 or her from disclosing such facts to the Court or to any police officer.

8. The accused/petitioner shall not leave India without prior permission of the Court.

9. The accused/petitioner shall join the investigation as and when called by the police.

10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

03.09.2025

Kapil

**(KIRTI SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No