



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

105

CRM-M-38686-2025

Date of decision: 22.07.2025

NARINDER SINGH ALIAS LUCKY

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Harpreet Singh Multani, Advocate
for the petitioner.

Mr. Jastej Singh, Addl. AG, Punjab.

SANDEEP MOUDGIL, J.(ORAL)

1. **Prayer**

This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.194 dated 20.08.2017 under Sections 307, 379, 323, 324, 452, 506, 148, 149 of IPC and Sections 25, 27 of Arms Act, registered at Police Station Sadar Ludhiana, District Police Commissionerate.

2. **Contentions**

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. Learned counsel submits that on 19.08.2017, Hirdey Pal Singh along with 10-12 unknown persons armed with rods and swords attacked the complainant and his brother at their shop in Ludhiana. He further submits that no role has been attributed to the petitioner in the incident and he was named in the FIR only on the disclosure statement made by the co-accused namely Hirdey Pal Singh.



Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Mr. Jastej Singh, Addl. AG, Punjab appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner has actively participated in incident in question as the main accused - Hirdey Pal Singh has disclosed the name of the petitioner in his statement and two other FIRs of similar nature are pending against him. Thus, the State seeks custodial interrogation of the present petitioner.

3. **Analysis**

Be that as it may, after giving a thoughtful consideration to the submissions as made by the counsel for both the parties it is found that petitioner was initially not named in the FIR; the prosecution is supporting the case of the petitioner since he has been placed in column No.2 after conducting the inquiry; without any evidence or incriminating material against the petitioner and only on the basis of subsequent disclosure statement made during the course of investigation, he was named in the FIR; no role has been attributed to him and State has failed to make out the case against the petitioner as to why his custodial interrogation is required. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.



4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

22.07.2025

Nisha Yadav

*Whether reasoned/speaking?
Whether reportable?*

*Yes/No
Yes/No*