CRM-M-74082-2025

2025:PHHC:179491

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-74082-2025
Date of Decision:31.12.2025

VISHAL @ VISHAL KUMAR

….PETITIONER(S)

VERSUS

STATE OF PUNJAB

….RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Raghav Soni, Advocate for the petitioner.
(through hybrid mode)

SANDEEP MOUDGIL, J. (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in connection with FIR No. 123 dated 26.07.2025 under Sections 115(2), 118(1), 125, 190, 191(2) of BNS and Sections 25, 27 of Arms Act registered at Police Station Sadar, District Amritsar (Annexure P-1).

2. Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that neither any specific injury nor any weapon has been attributed to the petitioner. It is argued that the petitioner has neither committed nor participated in the commission of

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the alleged offence. It is further asserted that the petitioner is ready and willing to join the investigation as and when required. Hence, custodial interrogation of the petitioner is not required and the petitioner deserves the concession of anticipatory bail.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Rajiv Verma, Addl. AG Punjab assisted with Sh. Gurnam Singh, ASI No. 3699/ASR, accepts notice on behalf of the respondent–State and vehemently opposes the prayer made for anticipatory bail by learned counsel for the petitioner on the ground that the allegations against the petitioner are serious in nature. It is contended that the petitioner, along with his co-accused, created a nuisance by hiring a DJ on the date of occurrence. It is further argued that the conduct of the petitioner also put the public life in potential danger by firing gunshots in air. He further submits that the petitioner, along with the co-accused, caused injuries to the complainant party by using weapons such as a 'datar' urging that recovery is yet to be effected and for this purpose, custodial interrogation of the petitioner is required at this stage for furthering investigation, the State counsel prays for dismissal of this petition.

4. **Analysis**

Be that as it may, it is not in dispute that the medical injuries attributed to the petitioner are simple in nature. Although the FIR alleges an injury on the right side of the forehead, the said injury has also been opined by the Medical Board to be simple. As regards the alleged gunshot, learned State

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counsel, on instructions from Sh. Gurnam Singh, ASI No. 3699/ASR, has categorically stated that the shot was fired in the air, however, no recovery has been effected to that effect. Bearing in mind the discussion made hereinabove and the fact that the petitioner is ready and willing to join the investigation and to cooperate fully for its proper conduct, enabling the Investigating Agency to submit the final report within time. In view of these circumstances, there is no reason for this Court to decline the benefit of anticipatory bails to the petitioner, at this stage.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, 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.'*

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

In the aforesaid terms, the present petition stands allowed.

Pending application(s), if any shall disposed off, accordingly.

(SANDEEP MOUDGIL)
JUDGE

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

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