

Dharminder vs. State of Punjab BA 161-2026

Present : Sh. Yadwinder Singh Advocate, counsel for applicant.
Sh. Harshdeep Addl. PP for State.

The present bail application has been filed by the applicant/accused seeking anticipatory bail on the ground that he is innocent and has been falsely implicated in the above noted case. He is ready to join the investigation and cooperate with the investigation.

Upon notice, Investigating officer appeared and suffered the following statement :

Stated that I am investigating officer in the present FIR. I intend to give notice under Section 35(3) BNSS to the accused to join the investigation. His custodial interrogation is not required.

Since, the investigating officer is resorting the provisions of Section 35(3) BNSS, as such, by applying the law laid down by the Hon'ble Supreme Court of India in **Satinder Kumar Antil Vs. CBI (2023(2) RCR (Criminal) 288)**, this court is of the considered view that at this stage, there is no apprehension of arrest of applicant/accused. As such, applicant/accused is directed to comply with notice under Section 35(3) BNSS if served by IO. It is made clear that if the investigating officer intends to arrest the applicant/accused, he will give 5 days prior notice to applicant/accused to avail legal remedy. The bail application stands disposed of accordingly.

File be consigned to the Record Room.

Pronounced in open Court.
19.01.2026

Jyotsna/Stenographer-I

(Hardip Singh)
Additional Sessions Judge
SAS Nagar
(UID No. PB-0638)