



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-38564-2024(O&M)
Date of decision: 25.11.2024

Ranjit Singh @ Ranjeet Singh and anotherPetitioners

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sarvesh Malik, Advocate, with
Mr. Yogender Verma, Advocate, for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the BNSS, 2023 in case FIR No.80 dated 18.07.2024 under Sections 115(2), 127(2), 351(2), 316(2), 3(5) of BNS, 2023, registered at Police Station Bhadson, District Patiala.
2. On the last date of hearing, while noticing the following submissions, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned State counsel, on instructions from ASI Manjinder Singh, has submitted that there was due compliance of the order dated 27.08.2024 passed by this Court and the recovery of a passport was affected from the suitcase of the complainant.

Learned counsel for the complainant has also submitted that no doubt that the recovery of some cash amount alongwith the gold ornaments are yet to be affected.

Adjourned to 25.11.2024.

Meanwhile, the petitioners are directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

3. Learned counsel for the petitioner submits that in compliance of order dated 02.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation. However, he submits that recovery of gold ornament has not been effected and furthermore, there is a genuine apprehension that the petitioners may flee the country on being extended the concession of bail.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Hon'ble the Supreme Court has repeatedly emphasized that Courts must assess the prayer for bail application independently, without being swayed by the arguments of the State or the complainant that recovery of certain articles or money is yet to be affected. It has been emphasised by Hon'ble the Supreme Court that the role of the Court is not to aid or assist in recovering the money or articles of the complainant. Rather, the Courts are expected to just prioritise as to

whether the parameters laid down for the concession of bail are met, instead of facilitating the recovery of money etc.

7. In view of the above, the present anticipatory bail is allowed and interim order dated 02.09.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS, and also subject to surrender the passport of the petitioners, if any, before the trial Court.

25.11.2024.
anil

(MANJARI NEHRU KAUL)
JUDGE

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