

203-CRM-M-43374-2024

2024:PHHC:164199



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43374-2024
Date of decision: 10.12.2024

Sunny Kumar @ LaddiPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Nitin Sharma, Advocate,
for the petitioner

Mr. Rajinder Singh Bhatta, DAG, Punjab.
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS) the petitioner seeks
anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
203	24.07.2024	331(4), 305 of the BNS (317 BNS added lateron)	Phillaur, District Jalandhar Rural

2. Learned counsel for the petitioner submits that in compliance to the order dated 04.09.2024, the petitioner has joined the investigation.
3. During the course of hearing on 04.09.2024, following order has been passed: -



'The prayer in this petition under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.203 dated 24.07.2024 under Section 331(4) and 305 of the Bharatiya Nyaya Sanhita, 2023 (BNS) (Section 317 of BNS, 2023 added later on) registered at Police Station Phillaur, District Jalandhar (Rural).

Learned counsel for the petitioner submits that the petitioner has been nominated on the basis of disclosure statement of co-accused.

Notice of motion.

On asking of the Court, Ms. Manjot Kaur, AAG, Punjab appears and accepts notice on behalf of the respondent-State and seeks time to file status report. A copy of the paper book be supplied to her during the course of the day.

Learned State counsel submits that the petitioner used to buy stolen articles from the co-accused.

In the present case the theft is of around Rs.55,000/- so there is no question of selling and buying any stolen article.

Adjourned to 10.12.2024.

In the meantime, the petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 482 (2) of BNSS:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required:



(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

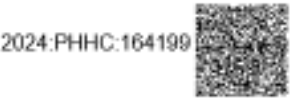
Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.'

4. Learned State counsel on instructions received from SI Nirmal Singh, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 04.09.2024 passed by this Court, interim bail granted vide order dated 04.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS). Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

203-CRM-M-43374-2024



7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

10.12.2024
preeti

(SANJIV BERRY)
JUDGE

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |