



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45178-2024
Date of Decision:11.09.2024

Sunny @ Bhatti ...Petitioner
vs.
State of Punjab ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.94 dated 05.07.2022 under Section 304 of IPC and Section 21 of NDPS Act, registered at Police Station Dhanaula, District Barnala (Annexure P-1).
2. Learned counsel for the petitioner contends that the petitioner has been falsely involved in the present case and he had no role to play in the alleged crime. He further contends that even two similarly placed co-accused Shankar and Kulwant Singh have already been granted the concession of interim anticipatory bail by this Court vide Annexures P-2 and P-3, respectively. Consequently, on parity also, the petitioner is entitled to concession of anticipatory bail. Learned counsel further refers to the testimonies of PW-1, Vinod Kumar and PW-2, Gurmeet Singh (Annexures P-4 and P-5) to contend that the material witnesses of the prosecution have already turned

hostile in the present case.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the serious allegations have been levelled against the present petitioner, however, he could not dispute the fact that the case of the petitioner is at par with Shankar and Kulwant Singh, co-accused.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. In the present case, the case of the petitioner is at par with Shankar and Kulwant Singh, who have already been granted the benefit of anticipatory bail. Moreover, the material witnesses of the prosecution, have refused to support the case of the petitioner. Thus, the custodial interrogation of the petitioner may not be required, at this stage.

6. Consequently, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of the B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of the B.N.S.S.

11.09.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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