



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-50821-2024
Date of decision: 12.12.2024

SANDEEP SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kuldip S. Chaudhary, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 BNSS, 2023,
the petitioner seeks anticipatory bail in case FIR (Annexure P-2) as under: -

FIR No.	Dated	Sections	Police Station
86	12.07.2024	331 and 305 BNS, 2023	Nakodar Sadar, Jalandhar (Rural)

2. Learned counsel for the petitioner submits that in compliance to the orders dated 10.10.2024 and 11.11.2024, the petitioner has joined the investigation.
3. During the course of hearing on 10.10.2024, following order had been passed: -

“ The instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in FIR No.86 dated 12.07.2024 under Sections 331 & 305 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Nakodar Sadar, Jalandhar Rural.



Learned counsel for the petitioner, inter alia, contends that the petitioner has no concern with the alleged theft and he has been falsely implicated in the present case only on the basis of disclosure statement of coaccused Sandeep @ Seepa. Further, the investigating agency has not procured the CCTV footage of the place of occurrence, which would clearly demonstrate that the petitioner has not participated in the alleged theft. The petitioner is not involved in any other case.

Notice of motion for 11.11.2024.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioner shall co-operate in the investigation. The petitioner shall cooperate with the investigation/arresting officer and abide by the conditions as provided under Section 482 (2) of BNSS.

If the arresting officer does not permit the petitioner to join the investigation, the petitioner would appear before the learned Illaqa Magistrate, who would then summon the arresting officer and direct him to join

the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law.”

4. Learned State counsel on instructions received from ASI Jaspal 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 orders dated 10.10.2024 and 11.11.2024 passed by this Court, interim bail granted vide order dated 10.10.2024 and 11.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of 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.
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.

(SANJIV BERRY)
JUDGE

12.12.2024
puneet

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