



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CRM-M No.53102 of 2024
Date of decision: 09.12.2024**

JASPAL SINGH @ JAS PIPLI**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Kuljinder Bir Kaur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No. FIR No.79 dated 15.09.2024 registered under Sections 297(1), 297(2), 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') and Section 9 of the Lottery Act, at Police Station Dayalpura, District Bathinda.

2. Vide order dated 24.10.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 24.10.2024, passed by this Court, reads as under:

“The present petition has been filed by the petitioner seeking grant of anticipatory bail in case arising out of FIR No.79 dated 15.09.2024 registered under Sections 297(1), 297(2), 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') and Section 9 of the Lottery Act, at Police Station Dayalpura, District Bathinda.

As per the prosecution case, on 15.09.2024, a Police party headed by SHO-Jagroop Singh was performing patrolling duty and was present at bus stand Kothe when a secret information was received that the accused-Dr. Balkaran Singh in connivance with some persons was being engaged in the business of selling coupons of lotteries(tickets) in illegal manner and by misguiding innocent persons on the pretext that his lottery tickets were approved by Govt. of Punjab whereas no licence or permit had been issued by the government in this regard. On receipt of this information, rukka was sent. Then on 29.09.2024, Balkaran Singh was apprehended. He suffered disclosure statement on the basis of which, present petitioner had been nominated as an accused. Apprehending his arrest, the petitioner had moved an application for grant of pre arrest bail which had been dismissed by the Court of learned Additional Sessions Judge, Bathinda vide order dated 19.10.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. He was not named in the FIR. He was nominated in this case on the basis of disclosure statement of the co-accused Balkaran Singh which cannot be considered to be admissible in evidence. There is nothing on record to link the petitioner with the co-accused. There are no specific allegations against him. His custodial interrogation is not required. The subject offences are not made out against him. He is ready to join investigation. No recovery is

to be effected from him. Therefore, it is urged that the present petition deserves to be allowed.

Notice of motion.

Learned State counsel who has appeared on advance notice of the present petition, seeks time to status report.

Adjourned to 06.12.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.”

3. Status report dated 07.12.2024 filed on behalf of respondent-State is taken on record. Learned State counsel submitted that the petitioner has joined investigation on 09.12.2024 and he is not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 24.10.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

09.12.2024/Jyoti-IV

(MANISHA BATRA)
JUDGE

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