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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-54733-2024 (O&M)  
Date of decision: 25.11.2024

**Mahesh Kumar Jain and another**

**... Petitioners**

**Vs.**

**State of Punjab**

**... Respondent**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Anubhav Singla, Advocate for  
Mr. S.K. Jain, Advocate  
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. N.S. Sodhi, Advocate  
for the complainant.

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**HARPREET SINGH BRAR, J. (ORAL)**

1. This petition has been filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail  
to the petitioners in FIR No.46 dated 25.10.2024 under Sections 406, 417,  
498-A, 120-B of the Indian Penal Code, 1860, registered at Police Station  
NRI, District Jalandhar.
2. On 11.11.2024, the following order was passed:-

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*“Instant petition is preferred under Section 482 of BNSS seeking anticipatory bail to the petitioners in FIR No.46 dated 25.10.2024 under Sections 406, 417, 498-A, 120-B of the Indian Penal Code, 1860, registered at Police Station NRI, District Jalandhar.*

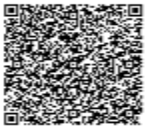
*Vide order dated 31.10.2024, the Coordinate Bench of this Court stayed arrest of the petitioners.*

*Adjourned to 25.11.2024.*

*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 petitioners are 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 petitioners will be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer and they will co-operate in the investigation. The petitioners will cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).*

*If the Arresting Officer does not permit the petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.*

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

- 3. Learned State counsel, on instructions from SI Devinder Singh, at the very outset, informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, the order dated 11.11.2024 is hereby made absolute. The petitioners will abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
- 5. The petition stands disposed of.

25.11.2024  
vishnu

[ HARPREET SINGH BRAR ]  
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No