



(103)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-60738-2024 (O&M)
Date of decision:- 04.12.2024

Raju Masih
...Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present:- Mr. R.K. Arya, Advocate,
for the petitioner.
Mr. Gagneshwar Walia, Additional Advocate General, Punjab.
* * * *

SHEEL NAGU, C.J. (ORAL)

CRM-48067-2024

The application is allowed as prayed for.

CRM-M-60738-2024

1. The petitioner apprehending his arrest has filed this petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeking anticipatory bail in case FIR No. 109, dated 12.06.2024 under Sections 457 and 380 of the Indian Penal Code, 1860 registered at Police Station Ajnala, District Amritsar Rural in respect of house trespass and committing theft therein.
2. The allegation of theft of five items i.e. Rs. 1 lac, 24 tolas gold and 12 tolas silver ornaments, Dell Laptop and Moto Razer mobile phone has been made against the petitioner. One of the other co-accused, namely, Sawar had been arrested and based on his disclosure statement, the petitioner has been named.

3. Moreover, the complainant has given his statement after nearly three months of the lodging of the FIR and named the petitioner without any explanation for the delay.
4. Merely on the ground that the petitioner has no antecedents and is aged about 36 years and there is no possibility of his fleeing from justice and learned counsel for the petitioner has also assured that the petitioner shall follow all the terms and conditions for granting anticipatory bail, this Court for the time being is inclined to grant anticipatory bail to the petitioner subject to his furnishing personal bonds for a sum of Rs. 50,000/- with two sureties of the like amount each to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482(2) of the BNSS. In case the petitioner does not join the investigation, the State is free to move an application for cancellation of his bail.
5. This order shall also remain subject to the following condition:-

 The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned Police Station where the FIR has been registered within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.
6. The petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

04.12.2024
Amodh Sharma

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