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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5173-2025

Date of decision: 28.02.2025

Taranjit Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Ankit Gupta, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.168 dated 24.08.2024 (Annexure P-1) under Sections 406/420 of IPC
registered at Police Station Division 8 District Jalandhar (Annexure P-1).

On 30.01.2025, the following order was passed:-

*'Instant petition is preferred under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking
anticipatory bail in FIR No.168 dated 24.08.2024 under Sections 406
& 420 of the Indian Penal Code, 1860, registered at Police Station
Division 8, District Police Commissionerate Jalandhar.*

*Learned counsel for the petitioner, inter alia, contends that the
only allegation against the petitioner is that the complainant
transferred Rs.74,000/- in the account of the petitioner. The petitioner
never met the complainant nor he was working as travel agent. The
amount received in the account of the petitioner was due towards co-
accused Ajay Kumar and on his asking, the complainant transferred
the aforementioned amount in his account. Moreover, the maximum
sentence provided for the offences, under which the FIR (supra) is
registered, is punishable upto 07 years. Even no notice under Section
35 of BNSS [erstwhile Section 41-A of the Code of Criminal
Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the
petitioner. The petitioner is having clean antecedents and is not
involved in any other case.*

Notice of motion for 28.02.2025.

Keeping in view the ratio of law enunciated by the Hon'ble



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Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, 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 will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall 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 petitioner to join the investigation, he would appear before 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 learned trial Court shall decide the case on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from SI Jagdish Lal, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 30.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.02.2025

Neha

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