



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-5586-2025
Date of decision: 13.05.2025

GURMANT SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : None for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Gurmant Singh	37	26.07.2020	379 IPC and 21(3) of the Mines and Minerals (Development and Regulation) Act, 1957	Arif Ke	Ferozepur

2. On 30.01.2025, following order was passed:-

“Present petition has been filed by the petitioner, for grant of anticipatory bail, in case bearing FIR No.37, dated 26.07.2020, under Sections 379 IPC and 21(3) of the Mines and Minerals (Development and Regulation) Act, 1957, registered at Police Station Arif Ke, District Ferozepur.

2. Counsel for the petitioner submits that name of the petitioner is not mentioned in the FIR, which was lodged on 26.07.2020. As per the allegations, petitioner is the driver of



one of the trucks, which has already been released on Superdari in the name of its owner namely Ranvir Singh. At best, petitioner can be alleged to be driving the vehicle which was used for committing theft of the minerals. Even, the beneficiary would be the licence-holder of the mine or the owner of the truck. There is no direct connectivity of the petitioner with the crime. Moreover, for about 5 years, petitioner has neither received any notice of joining of the investigation, nor police has even attempted to arrest him.

3. Notice of motion.

4. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State.

5. List again on 01.04.2025, to enable learned State counsel to file status report in the matter.

6. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023.

7. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.”

3. Though there is no representation on behalf of the petitioner, yet learned State counsel on instructions from the Investigating Officer, submits that since the petitioner has joined the investigation, custodial interrogation of the petitioner is no more required.

4. Since the petitioner has joined the investigation, custodial interrogation is no more required, present petition is allowed and ad-interim order dated 30.01.2025, passed by this Court is hereby made absolute.

5. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. Accordingly, petition stands disposed of.

13.05.2025
amandeep

(SANJAY VASHISTH)
JUDGE

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