

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-5847-2025
Decided on: 07.04.2025

Gurpreet Singh

Versus

.....Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Varinder Basa, Advocate for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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
Gurpreet Singh	98	14.10.2024	310(4) and 310(5) of BNS, 2023	Ramdas	Amritsar (Rural)

2. On 03.02.2025, following order was passed:-

“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
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2. *Learned counsel for the petitioner, inter alia, contends that the story put forth by the prosecution is absolutely false, and even unbelievable. These kinds of stories were created in the Bollywood movies in 1970-80s. Three of the accused are allegedly arrested from the spot namely (1) Vishal, (2) Rahul and (3) Shera Singh, and it is on the disclosure statement of Shera Singh, from which the name of the petitioner surfaced.*

3. *Counsel for the petitioner further submits that at the time of incident, petitioner was less than 18 years of age, and there is no previous history of involvement of the petitioner in any manner, in the similar activities, which are alleged in the present FIR.*

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

6. *Adjourned to 07.04.2025.*

7. *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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, the 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. Learned counsel for the petitioner contends that in compliance of the order dated 03.02.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel on instructions, confirms the said averment and submits that the custodial interrogation of the petitioner would not be required now for the purpose of investigation.



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5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and since custodial interrogation is no more required, present petition is allowed and interim order dated 03.02.2025, passed by this Court is hereby made absolute.

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.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

April 07, 2025
rashmi

Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~