



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-6075-2025 (O&M)
Date of decision: 03.03.2025

Gurdev Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anmol Thakur, Advocate
for Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

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 petitioner in FIR No.164 dated 12.12.2024 under Sections
115(2), 118(1), 351(2) of the Bharatiya Nyaya Sanhita, 2023, registered
at Police Station Kartarpur, District Jalandhar Rural.

2. On 03.02.2025, the following order was passed:-

“XX XX XX XX
*Learned counsel for the petitioner, inter alia,
contends that the petitioner is a cab driver and is earning
his livelihood and the complainant booked his cab for
going to Kartarpur from Jalandhar. The petitioner has
been falsely implicated in the FIR (supra). The
complainant was badly drunk and he paid less amount
than the amount indicated by the app. Moreover, the
maximum sentence provided for the offences, under which*



the FIR (supra) is registered, is punishable upto 03 years. There is a delay of 11 days in registration of FIR (supra). The petitioner is not involved in any other case.

Notice of motion for 03.03.2025.

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 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 the Code of Criminal Procedure, 1973).

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.”



3. Learned State counsel, on instructions from ASI Narinder Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 03.02.2025 is hereby made absolute. The petitioner shall 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.

(HARPREET SINGH BRAR)
JUDGE

03.03.2025
yakub

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