



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
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CRM-M-8443-2025 (O&M)
Date of decision: 17.03.2025

Navdeep Kaur
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Prince Sharma, Advocate
for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Ms. Meena, Advocate
for Mr. Amit Arora, Advocate for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.01 dated 01.01.2025 under Section 305 of BNS, 2023 registered at Police Station City Patti, Tehsil Patti, District Tarn Taran, Punjab.

2. On 14.02.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner inter alia contends that the complainant alleged that the petitioner i.e. daughter of the co-accused has done computer course and she has deleted the CCTV footage. He submits that there is a delay of one month in registration of the FIR (supra) and there is nothing available on record that who has handed over the key of the almirah to the petitioner, in which, the articles were stored. Further, no other person



except the owner has the access to DVR (Digital Video Recorder) and the petitioner has been made a scapegoat. She is a 20 years old girl and is not involved in any other case. Furthermore, maximum imprisonment under Section 305 BNS, 2023 is up to 07 years.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State and Mr. Amit Arora, Advocate along with Mr. Bhupinder Beniwal, Advocate has put in appearance on behalf of the complainant and filed his vakalatnama which is taken on record. Registry is directed to tag the same at the appropriate place.

Learned State counsel assisted by learned counsel for the complainant vehemently opposes the prayer made by the petitioner on the ground that the recovery of gold articles is yet to be made. Further, the complaint was made immediately after the incident to the SHO. As such, there is no delay in reporting the matter to the police.

In the meantime, keeping in view the law enunciated by the Hon'ble 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, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The



petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) BNSS, 2023.

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 17.03.2025.

Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.”

3. Learned State counsel assisted by learned counsel for the complainant and on instructions from ASI Gurdial Singh, at the very outset, informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.
4. In view of the statement of learned State counsel, order dated 14.02.2025 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

17.03.2025

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No