

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-10775-2025
Decided on: 24.04.2025

Bajinder Singh @ Binder

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Siddarth, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

SANJAY VASHISTH, J.

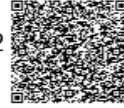
1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
Bajinder Singh @ Binder	73	10.02.2025	121(1), 132, 221, 3(5), 351(3) of BNS	Old Industrial Panipat

2. On 25.02.2025, following order was passed:-

“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 and age of petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Bajinder Singh @ Binder, aged about 32 years	73	10.02.2025	121(1), 132, 221, 3(5), 351(3) of BNS	Old Industrial	Panipat



2. Allegations in the FIR are reproduced here under:-

“That on 10.2.2025, he received information that Bajinder @ Binder A son of Ram Singh, resident of village Sutana running a shop of cold drink, water and Namkeen at Sutana to Lohari road, selling illegal wine to show running shop of drink, water and Namkeen. On that information, he alongwith his companion Sandeep 1050/PPT at about 7.00 P.M. reached on the said shop and asked the name of a person, who was standing on shop, who disclosed his name Bajinder @ Binder son of Ram Singh, resident of village Sutana. They given their introduction and stated him that he is doing the work of selling illegal wine and on this said Bajinder started giving filthy abuses and called his companion and then 5-6 unknown boys came there and they also started giving filthy abuses and manhandled and all of the culprits threatened if again came there, they will kill them and thus the said Bajinder @Binder and his 5-6 companions committed the offence for using filthy abuses and obstructed in Govt. duty. On this, formal FIR bearing no.73 under sections 121(1), 132, 221, 3(5) & 351(3) BNS was got lodged in Police Station Old Industrial, Panipat.”

3. Counsel for the petitioner argues that even if the contents of the FIR are taken to be true, no cognizable offence is made out. Furthermore, the FIR fails to specify the exact words used by the accused persons, leaving the allegations vague and unsubstantiated. It is also not mentioned that EHC Parvinder Kumar No.295/PPT was in possession of any written order from his seniors following the entry in the rojnamcha.

Counsel for the petitioner further argues that the fact of reaching out of the shop of the petitioner all alone, is also not believable. In fact, such incident never took place.

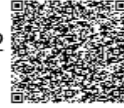
Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.

6. Adjourned to 24.04.2025.

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 25.02.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

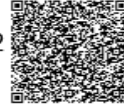
4. Learned State counsel has filed reply by way of an affidavit of Satish Kumar, HPS, Deputy Superintendent of Police, HQ, Panipat on behalf of respondent/State, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper book.

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

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and custodial interrogation is no more required, present petition is allowed and interim order dated 25.02.2025, 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.

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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 24, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**