

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of decision: 28.03.2025

....Petitioner

Versus

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR
No.45 dated 27.01.2025 under Sections 318(4)/336(3)/338/340/61 of BNS
registered at Police Station Pundri District Kaithal.

On 10.03.2025, the following order was passed:-

*‘ Instant petition is preferred under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking
anticipatory bail in FIR No.45 dated 27.01.2025 under Sections
318(4), 336(3), 338, 340, 61 of the Bharatiya Nyaya Sanhita, 2023,
registered at Police Station Pundri, District Kaithal.*

Learned counsel for the petitioner, inter alia, contends that as per the case set up by the prosecution, by preparing a forged and fabricated sale deed, brother of the petitioner got transferred land measuring 13 kanals 16 marlas, of Manjeet Kaur, daughter of the complainant, in favour of one Suresh Kumar, by producing some imposter in her place. The petitioner has no knowledge about the alleged fraud and he is neither a beneficiary nor an attesting witness of the sale deed.

Notice of motion for 28.03.2025.

To be listed along with **CRM-M-11204-2025** titled as **Rajesh Kumar Vs. State of Haryana.**

Keeping in view the ratio of 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**, 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



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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.'

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

In view of the statement of learned State counsel, order dated 10.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.03.2025

Neha

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