



CRM-M-15350-2025

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

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Decided on:20.05.2025

Dalbir Singh**.....Petitioner****Versus****State of Punjab and another****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Gagan Pradeep Singh Bal, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petitioner has been filed under Section 482 BNSS, seeking anticipatory bail in the proceedings, complaint No.04-GSR dated 15.02.2025, under Sections 9, 39,49,50,51 of Wild Life Act, registered at Police Station Range Garshankar, District Hoshiarpur.

2. On 20.03.2025, following order was passed:-

“1. Present petition has been filed by the petitioner seeking grant of anticipatory bail in the event of his arrest, in the proceeding, complaint No.04-GSR dated 15.02.2025, under Sections 9, 39, 49, 50 and 51 of Wild Life Act, registered at PS Range Garhshankar, District Hoshiarpur.

2. Learned counsel for the petitioner, inter alia, contends that the only allegation against the petitioner is his alleged presence on the spot, where the deceased animal (sambhar) was recovered. Even, no overt act has been attributed to the petitioner, and there is no allegation suggesting that he was armed with any weapon at that time.

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 file status report.

6. Adjourned to 20.05.2025.

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, 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.”

3. Mr. Gagan Pradeep Singh Bal, Advocate, respectfully submits at the bar that in compliance with the order dated 20.03.2025 passed by this Hon'ble Court, the petitioner has duly joined the investigation and has extended full cooperation. It is further submitted that custodial interrogation of the petitioner is not warranted at this stage. In light of the petitioner's cooperation and the nature of the evidence involved, it is humbly prayed that the interim protection granted earlier be confirmed and that the petition for anticipatory bail be allowed.

4. On the other hand, learned State Counsel, in the absence of any specific instructions, is unable to controvert the statement made by the petitioner's counsel. However, he does not dispute the factual part attributed to the petitioner, which have been recorded in the previous order passed by this Hon'ble Court.

It is, however, submitted that the petitioner be directed to rejoin the investigation as and when required by the Investigating Officer. It is further clarified that in the event of non-cooperation or failure to join the investigation when called upon, the petitioner shall not be entitled to claim the benefit of anticipatory bail.



5. After hearing the learned counsel for the parties, and upon perusal of the allegations levelled in the FIR, as well as the issues highlighted during the course of the hearing, and taking into consideration the fact that the petitioner has joined the investigation and has extended full cooperation, this Court finds it appropriate to allow the present petition.

It is further noted that the only allegation against the petitioner is that he was present at the spot where the deceased animal (Sambar) was recovered. In light of these circumstances, this Court deems it just and proper to grant the relief sought. Accordingly, the prayer for anticipatory bail is hereby accepted. The interim order dated 20.03.2025 is made absolute. The petition is, thus, allowed.

6. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and shall abide by all the terms and conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023).

It is further clarified that in the event the petitioner fails to join or rejoin the investigation despite service of due notice by the Investigating Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail.

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.



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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

May 20, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**