



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

CRM-M-15002-2025 (O&M)

Date of decision: 15.05.2025

GURBAKSISH SINGH

...PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Virendra Pratap Singh, Advocate
for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

SANJIV BERRY, J. (ORAL)

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Heard.

2. Keeping in view the averments made in the application, the same is allowed subject to all just exceptions and Annexure P-6 to Annexure P-8 is ordered to be taken on record.

3. Registry to do the needful.

4. Disposed of.

MAIN CASE

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
22	16.02.2025	21 of Mines and Mineral Act, 1957 and 303 (2) of BNS, 2023	Koom Kalan, District Ludhiana.

2. Learned counsel for the petitioner submits that in compliance to

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the order dated 19.03.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 19.03.2025.

3. Learned State counsel, on instructions from ASI Swarn Chand, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 19.03.2025, following order was passed:

“ 2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner being innocent has been falsely implicated in this case simply on account of being the owner of the vehicle No. PB-10-EH-5663. He contends that the said vehicle was already given on lease to one Harvinder Singh son of Nazar Singh, vide an agreement dated 05.06.2024 and was being plied by said Harvinder Singh. He further contends that instant FIR has been registered with mala fide intention of the Assistant Sub Inspector who was not authorized under the Mine and Mineral Act to lodge the same. He contends that the petitioner is ready to join investigation. Hence, the instant petition.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

5. Adjourned to 23.04.2025.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event

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of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 (BNSS).

8. Investigating Officer (concerned) to remain present in Court along with relevant records on the date fixed. ”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 19.03.2025 passed by this Court, interim bail granted vide order dated 19.03.2025 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

15.05.2025 (SANJIV BERRY)
kanika JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |