

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-16723-2025
Decided on: 24.04.2025

Jagsir Singh Dhaliwal

Versus

.....Petitioner

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Shekhar Kumar, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

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	District
Jagsir Singh Dhaliwal	14	30.01.2025	118(1) (2) and 3(5) of BNS, 2023	Nihal Singh Wala	Moga

2. On 27.03.2025, following order was passed:-

“ Apprehending his arrest in FIR No.14 dated 30.01.2025 registered for offences punishable under Sections 118(1) (2) and 3(5) of BNS 2023 at Police Station Nihal Singh Wala, District Moga; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioner, inter alia, contends that the actual genesis of the FIR in question is a scuffle in the fields which actually was initiated at the instance of the complainant-side, though the petitioner is alleged to have used a sharp edged weapon, but the said weapon is a Spade, which is ordinarily found in the fields and, therefore, it cannot be taken, at this stage, that the petitioner had premeditated the commission of offence & the petitioner is willing to join investigation and cooperate therein.



Notice of motion.

On the strength of advance notice; Mr. Jasjeet Singh Dhaliwal, AAG, Punjab has entered appearance on behalf of the respondent-State of Punjab.

Adjourned to 24.04.2025.

The petitioner is directed to appear before the Investigating Officer on 03.04.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanita, 2023.”

3. Learned counsel for the petitioner contends that in compliance of the order dated 27.03.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

4. Learned State counsel on instructions, confirms the said averment 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 27.03.2025, 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.

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.



CRM-M-16723-2025

3

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**