

2025:PHHC:155099



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

CRM-M-17696-2025

Date of decision: November 11, 2025

Jaspinder Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:** Mr. Onkar Rai, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

Mr. J.S. Thind, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.16 dated 14.03.2025, under Sections 329(3), 324(4), 305, 351(2) & 351(3) of the BNS, 2023, registered at Police Station Nurmahal, District Jalandhar.

2. On 04.06.2025, the following order was passed:

“Instant petition has been filed under Section 482 BNSS for grant of anticipatory bail to the petitioner in case bearing FIR No.16 dated 14.03.2025 (Annexure P-1) under Sections 329(3), 324(4), 305, 351(2), 351(3) of BNS registered at Police Station Nurmahal, District Jalandhar.

This Court on 01.04.2025 issued notice of motion in compliance of which status report dated 08.04.2025 has been filed.

Learned counsel for the petitioner contends that the allegations against the petitioner are that on 14.02.2025, the petitioner and other co-accused demolished the wall of a room inside the Haveli of the complainant and the same wall was later on again demolished by them. He further submits that it is clear that the present case is a false one as the same wall cannot be demolished twice especially, when the same has not been reconstructed. Another allegation against the petitioner is that the he

along with other co-accused stole 15 bags of urea fertilizer, an old submersible pump and three iron girders from the complainant's Haveli. However, there is no independent witness or other material to support this allegation. He also submits that the complainant had filed complaints on 19.12.2024, 14.02.2025 and 20.02.2025 on similar allegations hence, it is clear that he is habitual for filing false complaints against the petitioner and other co-accused just to give criminal colour to a civil dispute. Learned counsel for the petitioner submits that the entire story of the FIR is based on hearsay version and there is no eye-witness and since there is an ongoing civil dispute with the complainant, therefore, he himself presumed that the petitioner and co-accused were involved in the alleged theft. He also submits that the custodial interrogation of the petitioner for investigation is no more required in the present case, as nothing is to be recovered and further, he is ready to join the investigation.

Mr. J.S. Thind, Advocate has put in appearance on behalf of the complainant and vehemently opposes the bail application filed by the petitioner.

Adjourned to 05.08.2025.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 482(2) BNSS."

3. Learned State counsel (on instructions) has stated that pursuant to the order dated 04.06.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required.

4. Learned counsel for the complainant has opposed the grant of anticipatory bail to the petitioner by arguing that there are direct/ serious allegations against the petitioner; and in case, the petitioner is extended concession of anticipatory bail, there is all likelihood that he may abscond from the process of justice as also tamper the investigation and interfere in the prosecution evidence. Learned counsel has further submitted that, after registration of FIR in question, another FIR bearing No.68 dated 30.07.2025 has been registered at Police Station Nurmahal, District Jalandhar (Rural). He is not in a position to refute that the petitioner is not an accused in the said FIR.

5. Having heard learned counsel for the parties and upon perusal of the record; especially keeping in view the factum of the petitioner having

joined investigation and his custodial interrogation is not being sought for by the State; the interim order dated 04.06.2025 passed by this Court is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS, 2023.

6. Petition stands allowed, accordingly.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order, in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

10. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

November 11, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No