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

CRM-M-17917-2025

Date of decision: 05.05.2025

Jagroop Singh and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Rohan Gupta, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Gaurav Vir Singh Behl, Advocate
for the complainant.**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.28 dated 17.02.2025 (Annexure P-2) under Sections 331(4)/305/306 of BNS registered at Police Station Amargarh, District Malerkotla, Punjab.

On 02.04.2025, 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.28 dated 17.02.2025 under Sections 331(4), 305, 306 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Amargarh, District Malerkotla.

Learned counsel for the petitioners, inter alia, contends that similarly situated co-accused have already been granted the concession of ad interim anticipatory bail by this Court vide order dated 24.03.2025 passed in CRM-M-15962-2025 (Annexure P-1). Further, no specific role has been attributed to the petitioners. It is further contended that the factual ingredients invoking Section 331(4) of BNS are not attracted, as the petitioners admittedly being employees, cannot be held liable for the alleged offence. After registration of FIR (supra), a compromise has been effected between the parties and Rs.11.50 lakhs have been paid to the complainant, as discernible from Annexure P-4.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Sukhjinder S. Behl, Advocate appears on behalf of the complainant and files Memorandum of Appearance in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate



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place of the case file.

Learned counsel for the complainant vehemently opposes the prayer for grant of anticipatory bail to the petitioners on the ground that there are serious and specific allegations against the petitioners.

Adjourned to 05.05.2025.

*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 petitioners are 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 petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners will 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 petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners 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 Surjit Singh, at the very outset informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 02.04.2025 is hereby made absolute. The petitioners 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

05.05.2025

Neha

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