



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

**CRM-M-18110-2025
DECIDED ON: 02.04.2025**

JASMEET SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Umesh Aggarwal, Advocate
for the petitioners.

Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 482 of BNSS, 2023 for grant of Anticipatory Bail to the Petitioners in FIR no. 13 dated 21.01.2025 registered at P.S. Gate Hakima, Amritsar under Sections 304(2) and 3(5) of BNS.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Statement of Abhishek s/o Pala Ram R/o House No. 470/1 Subhash Nagar Kaithal Police Station 21 Sector Kaithal Haryana Phone No. 94165-20065 Age About 30 Years, stated that I am a resident of the above said address and I work as a driver and I got a cantor ICER 3015 in the year 2023 whose registration number is HR 64-A-3800 which I had done financing from HDB BANK Kaithal for 5 years and at the time of finance I had given 2 lakh rupees in cash to the bank and, the monthly installment of which was decided as Rs.

49,400/-rupees and I have been paying my installment on time and due to the condition of my house, I could not pay the installment in the bank in October 2024. On date 12-11-2024 my driver Krishan Kumar on the above said cantor r/o Kaithal came to Amritsar Dana Mandi Bhaktawala Gate after carrying paddy arrived at Dana Mandi Bhaktawala Amritsar on 14-11-2024. After unloading the goods he parked the cantor in dana mandi then 3 people came to him and said that they have come from bank and we have to seize your vehicle and took away the vehicle from there forcefully. Driver Krishan Kumar informed me about the whole occurrence through mobile phone. I came to Amritsar on 16-11-2024 and kept searching for my vehicle. My vehicle was parked at the yard of Adarsh Enterprises, Jandiala. I clicked the photograph of the persons who took the vehicle parked illegally from the driver. I have presented it to you who can be identified by me and the driver if shown to us before lifting the vehicle I or my family did not get any notice from bank. Legal action should be taken against the concerned HDB Bank and the three boys who took our vehicle illegally without giving any notice.”

3. At the very outset, learned State counsel submits that in the instant FIR, the proceedings stands stayed by a Coordinate Bench of this Court in CRM-M-8516-2025 and the matter is now listed for 30.07.2025 and as such, the investigation in the instant FIR is not proceeding ahead.

4. In light of the above, this Court is of the considered view that the conclusion of the trial will take a considerable amount of time, as the investigation in the present FIR is currently stayed, therefore, detaining the petitioners in custody will not serve any useful purpose. Hence, the petition is allowed and the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of

personal/surety bonds to his satisfaction. The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

5. However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

6. In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

02.04.2025

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No