



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

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**CRM-M No.19189 of 2025
Date of decision: 15.05.2025**

RAJINDER SINGH ALIAS LALA**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Armaan Gagneja, Advocate for the petitioner
(through video conference).

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.8 dated 16.02.2025 registered under Sections 112, 303(2) and 317(2) of Bharatiya Nyaya Sanhita, 2023 (for short- 'BNS'), at Police Station Sadar Malout, District Sri Muktsar Sahib.
2. Vide order dated 07.04.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 07.04.2025, passed by this Court, reads as under:

“The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short- 'BNSS') by the petitioner for grant of anticipatory bail in case arising out of FIR No.8 dated 16.02.2025 registered under Sections 112, 303(2) and 317(2) of Bharatiya Nyaya Sanhita, 2023 (for short- 'BNS'), at Police Station Sadar Malout, District Sri Muktsar Sahib.



The aforementioned FIR was registered on the basis of statement recorded by the complainant-Gursavinder Singh alleging that on the night of 15.02.2025, copper material forming part of the electric transformer installed in his field had been stolen even in the neighbouring fields of Baldev Singh and Jagjit Singh, theft of copper from transformer had been committed. He had made inquiries and came to know that two persons namely, Ajay Kumar and Gursewak Singh had committed theft. After registration of FIR, investigation proceedings were initiated. During the course of investigation, 4.5 quintals of scrap material was recovered from the house of the petitioner. His wife was arrested and presently she is on bail. Apprehending his arrest, the petitioner had moved an application for grant of pre-arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Sri Muktsar Sahib vide order dated 17.03.2025.

It is argued by learned counsel for the petitioner that the ingredients for commission of offences punishable under Sections 112 and 303 of IPC are not made out against him. The recovery has already been effected from the co-accused. No recovery is to be effected from him. His custodial interrogation is not required. The ingredients for commission of offence under Section 317(2) of BNS are not attracted against him. He is ready to join the investigation. Accordingly, it is urged that the petition deserves to be allowed.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report.



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Adjourned to 15.05.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

It would, however, be open to the learned State counsel to file a reply indicating the involvement of the petitioner and all aspects would be considered at the time of final adjudication of the matter.”

3. Status report filed on behalf of respondent-State is taken on record.
4. Learned State counsel, on instructions from ASI Baljinder Singh, has submitted that the petitioner has joined investigation on 09.04.2025 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 07.04.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

15.05.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

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