



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

**CRM-M-19976-2025
DECIDED ON: 23.04.2025**

AYUSH TULI**.....PETITIONER**

VERSUS

STATE OF PUNJAB**.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: None for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The Punjab & Haryana High Court Bar Association and Bar Council of Punjab & Haryana High Court have decided "No work day" for today i.e., 23.04.2025 on account of sudden demise of Sh. Bhupinder Singh Rathore, oldest member of the Bar Council.
2. The jurisdiction of this Court has been invoked under Section 482 of the BNSS (2023), for grant of anticipatory bail, in case F.I.R. No.0014 dated 19/02/2025, registered under Sections 304, 3(5) of BNS 2023, PS Division No.2, District Pathankot.
3. Prosecution story setup in the present case as per the version in the FIR as under:-

"Statement of Bhawna W/Madan Lal Resident of H/No.204 Bhadroya road Near Tubwell, Pathankot age about 36 years, Mob. 9465259066. Stated that I am resident of aforementioned address does the house hold works. On 12/02/2025 I along with Renu w/o Ramesh Pal Resident of our Mohallah has gone to camp (Dera) of Shri Guru Ravi Dass Ji religious place near Chakki Pul, Pathankot and were coming together from Camp to our house and while we were walking three youngster

aged about 18 to 20 years crossed us 2/3 times while riding on their scooty and when after taking turn to Sailli road, when we reached in front of Income tax office at about 04:00 PM for going to our house then we found that scooty bearing no. PB35AD5885 color white came and stops in front of us, when we reached in parallel to scooty then pillion rider boy snatched a purse held by my right hand and hurriedly ran away. My purse was having my mobile mark OPPO A-76 having SIM No.7780900537 and Rs. 1400/-. That I and my friend Renu could recognize boys who made snatching, when they came in front of us. That I talked about this while going to my house and tried to get information regarding boys who made snatching and then the name of the boys revealed as Karan @ Gora S/o Tarsem Lal, Ayush Tulli S/o Rajinder Singh R/o Angura Wala Bhag, Pathankot and Anshu S/o Mohinder Pal R/o Partap Nagar, Sabji Mandi Road, Pathankot. Today I along with my friend Renu coming to Police Station to inform that you met us. Legal action be taken against them.”

4. It has been contended by the petitioner in the petition that the allegations against the petitioner is of snatching mobile phone mark OPPO A-76 and Rs.1400/-. The petitioner has also raised a concern before this Court regarding the delay of 7 days between the incident dated 12.02.2025 and the lodging of the complaint dated 19.02.2025, which led to the registration of the FIR. It is argued that the source and manner in which the present petitioner was identified as an accused remain unclear. Furthermore, while recoveries have already been made from the co-accused, there is nothing to be recovered from the present petitioner.

5. Be that as it may, considering the fact that there is a delay of 7 days in lodging the instant FIR as the occurrence took place on 12.02.2025 whereas the FIR was registered on 19.02.2025 and the fact that recoveries have already been made from the co-accused and there is nothing to be

recovered from the present petitioner for which his custodial interrogation is required at this stage.

6. In the light of above, the petitioner is directed to be released on anticipatory bail subject to his 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 petitioner 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.’

7. However, it is made clear that in case the petitioner does 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.

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

(SANDEEP MOUDGIL)
JUDGE

23.04.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No