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

CRM-M-21005-2025

Date of Decision: 28.04.2025

Jasvir Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Aditya Anand, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.49 dated 02.08.2024 registered under Sections 304 of BNS,2023 (Sections 303(2) and 329(3) added later on) and Sections 21(1) & 4(1), Mines and Minerals (Regulation of Development) Act, 1957, at Police Station Singh Bhagwantpur, District Rupnagar.

2. Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR and has been nominated as an accused on the basis of the disclosure statements made by Kulvir Singh, Vasdev and Raj Kumar, co-accused. However, the petitioner was neither the driver nor the owner of the vehicle, which was used in the commission of crime. He further contends that similarly placed co-accused, namely, Raj Kumar has been granted the concession of anticipatory bail by this Court. The petitioner was arrested on 24.03.2025 and is in custody since then.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. However, he admits that there is no other case against the petitioner and similarly placed co-accused, namely, Raj Kumar has already been granted the concession of anticipatory bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner was arrested in the present case on 22.03.2025 and is in custody since then and the recoveries have already been effected in the present case. Moreover, similarly placed co-accused, namely, Raj Kumar has already been granted the concession of anticipatory bail by this Court.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

28.04.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

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