



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

211

CRM-M-25604-2025 (O&M)
Date of decision: 03.07.2025

Tanish Jaryal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 seeking anticipatory bail to the petitioner in FIR No.22 dated 10.04.2025 under Sections 316(2), 340, 318(4) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Hajipur, District Hoshiarpur.

2. On 12.05.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the petitioner himself is a victim, as he has been cheated by two persons namely Partap Singh and Pardeep Kumar and in this regard, on 06.02.2025, he made a complaint (Annexure P-1) to the Senior Superintendent of Police, Hoshiarpur. However, the jurisdictional police authorities have not taken any action on the said complaint. Further, maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years.

Notice of motion.



Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State. He opposes the prayer for grant of anticipatory bail to the petitioner on the ground that veracity of the allegations made in the complaint (Annexure P-1) was examined and the persons named therein were found innocent. Further, the petitioner induced the complainant and others and obtained more than Rs.5.00 lakhs from them on the pretext of providing govt. job.

Adjourned to 03.07.2025.

*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 petitioner is 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 petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall 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 petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting



Officer and direct him to join the petitioner 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.”

- 3. Learned State counsel, on instructions from ASI Rakesh Kumar, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 12.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

03.07.2025
yakub

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