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

CRM-M-27950-2025

Date of decision: 24.07.2025

Joginder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Sachin Sharma, Advocate
for the complainant.**HARPREET SINGH BRAR, J. (ORAL)**

This petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.53 dated 26.04.2025 under Sections 326(f)/326(g)/351(3)/191(3) of BNS registered at Police Station Khui Khera, District Fazilka.

On 21.05.2025, the following order was passed:-

'[1] The present petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.53 dated 26.04.2025, registered at Police Station Khui Khera, District Fazilka, under Sections 326(f), 326(g), 351(3) & 191(3) of BNS, 2023.

[2] Learned counsel for the petitioner contends that as per the prosecution story, the petitioner along with his son and grandson had set up fire in the fields of the complainant resulting into damage of wheat crop standing over 11 acres of land. It is further allegation that the fire could have caused more damage but due to timely intervention by the complainant, who had called the police and fire brigade, it was controlled.

[2.1] Learned counsel further contends that the only allegation against the petitioner is that he was holding 02 bottles of petrol at the time of alleged occurrence, whereas, he is 86 years of age and unable to even stand properly.

[2.2] Learned counsel for the petitioner further submits that prior to the registration of present FIR, co-accused Sukhwant Singh, son of the petitioner made a complaint to the Senior Superintendent of Police, Fazilka (Annexure P-3) to the effect that the complaint-party wanted to forcibly take possession of their land, and the local police was helping them. The petitioner is ready to join the investigation.

[3] Notice of motion.



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[4] On advance notice, Mr. Gorav Kathuria, DAG, Punjab, accepts notice on behalf of the respondent-State and confirmed that co-accused- Sukhwant Singh has been arrested, however, Gurpreet Singh is yet to be arrested. He seeks time to file the status report.

[5] Mr. Sachin Sharma, Advocate, appears on behalf of the complainant and filed his Vakalatnama, which is taken on record. He seeks an accommodation to place on record some documents.

[6] Adjourned to 24.07.2025, for reply by the State.

[7] In the meanwhile, keeping in view the age of the petitioner, in the event of his arrest, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner 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) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

Learned State counsel has filed status report in the Court today and the same is taken on record and on instructions from SI Jugraj Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 21.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

24.07.2025

Neha

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