



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

209

CRM-M-30220-2025
Date of decision: 12.08.2025

DHAN RAJ

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Ms. Nikita Sharma, Advocate for
Ms. Supriya Garg, Advocate for the petitioner.

Mr. Bareen Pratap Singh, AAG, Punjab.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Dhan Raj	52	26.04.2025	318(4), 303(2), 316(3) and 61(2) of BNS, 2023	Banur	Patiala

2. On 28.05.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory



bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Dhan Raj	52	26.04.2025	318(4), 303(2), 316(3) and 61(2) of BNS, 2023	Banur	Patiala

2. *Learned counsel for the petitioner submits that the weighing of the iron bars (saria) was conducted on 25.04.2025, whereas the FIR in question was registered the following day, i.e., on 26.04.2025. As per the allegations, there was a shortfall of 3 tons and 420 kilograms in the weight of the iron bars that were supposed to be delivered to the complainant.*

It is further submitted that the petitioner is alleged to have arrived at the spot (Kanda) when the truck had already reached there, riding his Hero Honda motorcycle bearing registration No. PB-11-CD-4997. Therefore, even if there was a deficiency in the quantity of the iron bars, the petitioner cannot be held responsible, as there are no specific allegations that he removed any part of the consignment from the truck.

Counsel also points out that the FIR was registered the day after the weighing process, which raises a doubt as to whether there was any actual fault in the weighing process or whether the shortfall in the iron bars was due to an error in loading.

It is argued that the case appears to have been registered merely on the assumption that the quantity of iron bars found at the time of delivery, was less than what was loaded. Even if any deficiency exists, the petitioner cannot be blamed for the same. Accordingly, counsel prays for the grant of anticipatory bail to the petitioner, who is ready and willing to join the investigation as and when required by the investigating agency.



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3. *Notice of motion.*

On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab puts in appearance on behalf of the respondent – State.

4. *Adjourned to 12.08.2025.*

5. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

6. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing her submissions, learned counsel for the petitioner contends that in compliance of the order dated 28.05.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, she prays for confirmation of the said interim anticipatory bail order of the petitioner.

4. Learned State counsel on instructions from the official respondent confirms the said averment made by counsel for the petitioner of joining the investigation on 22.06.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial



interrogation is no more required; ad-interim bail order dated 28.05.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

12.08.2025
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(SANJAY VASHISTH)
JUDGE

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