



CRM-M-29867-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-29867-2025
Decided on: 03.12.2025

Darshan SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.
Mr. Sukhbeer Singh, DAG 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 FIR No.92 dated 23.04.2025, under Sections 316(2), 318(4), 61(2) of BNS at PS Balongi, District SAS Nagar.

2. On 28.05.2025, following order was passed:

“(i) (i) 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
Darshan Singh aged about 50 years	92	23.04.2025	316(2), 318(4), 61(2) of BNS, 2023	Balongi	SAS Nagar

(ii) The question before this Court is that petitioner is admittedly in possession of the area, which in fact was handed-over by the actual owners, i.e., forefathers of the complainant’s party, only for the residential purpose. Ownership rights were



never transferred in favour of the accused (petitioner herein) or his forefathers. The disputed area falls within the chunk of 1 Kanal – 1 Marla, and as per petitioner, disputed area is measuring 1 Marla only.

(iii) Counsel further submits that a civil suit has also been filed prior to the registration of the FIR and the issue, as to whether area is within the Lal Lakeer or bearing some khasra number etc. would be decided by the Civil Court.

Counsel also submits that co-accused, i.e., Charanjit Singh, has already been released on bail and the case is prosecution case is completely dependent upon the documentary evidence. Thus, no purpose would be served by keeping the petitioner behind bars.

(iv) Notice of motion.

(v) On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.

(vi) At this stage, Mr. Ravish Bansal, Advocate, also puts in appearance on behalf of the complainant and files his Vakatlanama in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

(vii) Adjourned to 18.08.2025.

(viii) 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 ad-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.).

(ix) 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. Learned State counsel on instructions, contends that in compliance to the order dated 28.05.2025 passed by this Court, the petitioner has joined the investigation on 11.08.2025, and as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

4. 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.

5. The 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.

6. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

7. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

03.12.2025
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Whether Speaking/Reasoned:	YES/ NO
Whether Reportable:	YES /NO