



216

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

CRM-M-31463-2025

Date of Decision: 25.09.2025

Sukhdev Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Yajur Sharma, Advocate
for the petitioners.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioners, who are co-accused in case bearing FIR No.116 dated 15.05.2025 registered under Sections 329(3)/61(2)/303(2)/351(3) of BNS, 2023 at Police Station Tanda, District Hoshiarpur, have prayed for grant of pre-arrest bail.

2. On 03.06.2025, following order was passed by this Court:-

“The petitioners through instant petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 are seeking anticipatory bail in FIR No.116 dated 15.05.2025 under Sections 329(3), 61(2), 303(2), 351(3) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Tanda, District Hoshiarpur (Annexure P-1).

Learned counsel for the petitioners inter alia contends that there is land dispute between the petitioners and complainant. They have filed civil suit against the complainant with respect to share of the land. The complainant just to harass them has lodged FIR in question. They are permanent residents of Hoshiarpur and staying with their family members. They have deep roots in the society and are ready to join investigation. There is no possibility of their fleeing from justice.

Notice of motion, returnable for 20.08.2025.

Mr. Karunesh Kaushal, AAG, Punjab, who on advance notice is

present in Court accepts notice on behalf of respondent-State.

Having considered contents of the FIR, role attributed to the petitioners, gravity of offence, sentence prescribed for commission of alleged offence and arguments put forth by the petitioners, this Court is of the prima facie opinion that petitioners deserve protection from arrest.

Accordingly, at the first instance, the petitioners are directed to appear before investigating officer on 09.06.2025 and thereafter as directed by IO.

In the event of arrest, the petitioners shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of investigating/arresting officer. The petitioners shall co-operate with the investigating officer. The petitioner shall not influence the witnesses, destroy, interpolate or manipulate evidence and leave country without prior approval of the trial Court.

If the arresting officer does not permit the petitioners to join the investigation, they would appear before the learned Illaqa Magistrate who would then summon the arresting officer and direct him to join the petitioners in investigation, in terms of the order of this Court.

If the petitioners or their family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.”

3. Status report dated 14.09.2025 by way of affidavit of Mr. Davinder Singh PPS, Deputy Superintendent of Police, Sub-Division Tanda, District Hoshiarpur, has been filed. The same is taken on record. In para 5 thereof, role of the petitioners has been highlighted and it has been pointed out that though the petitioners have joined the investigation but recovery of 06 bags of urea, which had allegedly been stolen by the petitioners, has not been effected.

4. Learned counsel for the petitioners strongly opposes the

submission of the learned State counsel and contends that baseless frivolous allegations have been levelled by the complainant only with a view to harass the petitioners and to extract illegal monetary benefit from them.

5. On a query put forth by this Court as to whether the complainant party had given any documents in support of their plea, that they had purchased 06 urea bags, which was allegedly found missing, no satisfactory reply is forthcoming.

6. Keeping in view the fact that petitioners have joined the investigation, interim bail granted vide order dated 03.06.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. Pending application, if any, also stands disposed of.

25.09.2025

Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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