



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33265-2025

Date of decision :23.07.2025

PARDEEP SINGH DHILLON

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Chanchal K. Singla, Addl. A.G., Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The petitioner seeks grant of anticipatory bail under Section 482 of BNSS, 2023 in case arising out of Vigilance Inquiry No.11 dated 03.12.2024 being conducted by Vigilance Bureau, Flying Squad, Vigilance Bhawan, Sector 68, Mohali.

On 25.06.2025, the following order was passed:-

“A note has been put up by the Registry to the effect that the present petition has been stated to be the first petition under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner but prior to this, the petitioner had filed a petition for grant of anticipatory bail i.e., CRM-M25985-2025 in FIR No.8 dated 07.04.2025 under Section 7A of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, District SAS Nagar, Mohali and the same was dismissed by the Coordinate Bench of this Court vide order dated 20.05.2025.

Learned counsel for the petitioner has submitted that the objection by the Registry is erroneous and has



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submitted that the present petition for anticipatory bail has been filed by the petitioner in case arising out of Vigilance Inquiry No.11 dated 03.12.2024 being conducted by Vigilance Bureau, Flying Squad, Vigilance Bhawan, Sector-68, Mohali and the present anticipatory bail has not been filed in FIR No.8 dated 07.04.2025. It is further submitted that in para 5 of the petition, the petitioner has specifically mentioned the fact that in FIR No.8 dated 07.04.2025, the petitioner had first approached the trial Court and then the Hon'ble High Court praying for grant of anticipatory bail but the same was rejected and thereafter had gone to the Hon'ble Supreme Court and even the order passed by the Hon'ble Supreme Court dated 05.06.2025 has been annexed as Annexure P-2. It is submitted that specific reference of the order dismissing the anticipatory bail application of the petitioner in FIR No.8 had been mentioned in the order of the Hon'ble Supreme Court and the Hon'ble Supreme Court had issued notice of motion and had also granted interim protection to the petitioner. It is argued that thus, neither the present petition is second anticipatory bail with respect to Vigilance Inquiry No.11 dated 03.12.2024 nor is there any concealment.

With respect to merits of the case, learned counsel for the petitioner has submitted that in pursuance of order passed by the Hon'ble Supreme Court dated 05.06.2025 granting ad interim protection to the petitioner in FIR No.8, the petitioner is required to associate himself with the investigation which is being conducted by the Vigilance Bureau and has submitted that since Vigilance Inquiry No.11 dated 03.12.2024 which is with respect to the alleged disproportionate assets of the petitioner is also pending before the Vigilance Bureau, thus, the petitioner



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has an apprehension that when the petitioner would go and associate himself in the inquiry with respect to FIR No.8, the petitioner may be arrested in the Vigilance Inquiry No.11 dated 03.12.2024. It is submitted that it is for the said reason that the petitioner had applied for anticipatory bail before the Court of Sessions on 06.06.2025 (Annexure P-3) and in the said application, the petitioner has specifically detailed his apprehension in para 3 of the same, which has been highlighted and is reproduced hereinbelow:-

“3. That since the vigilance Inquiry no. 11/2024 with regard to disproportionate assets case is also pending against the applicant in office of Vigilance Bureau, Flying Squad, Vigilance Bhawan, Sector 68, S.A.S Nagar, thus the applicant has every apprehension that while joining the process of investigation in FIR No. 08 dated 07.04.2025 registered under section 7A of Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, Flying Squad-I, Punjab at SAS Nagar, the applicant, may be put to arrest in the disproportionate of assets case.”

It is argued that however, the Judge, Special Court, SAS Nagar, Mohali had dismissed the bail application as being not maintainable on the statement made on behalf of Vigilance Bureau that till date, no FIR had been registered and that since no FIR had been registered, there was no apprehension of arrest and thus, the anticipatory bail application was not maintainable. It is argued that the said order is in the teeth of the law laid down by the Constitutional Bench of the Hon’ble Supreme Court in case titled as Gurbaksh Singh Sibbia etc. Vs. State of Punjab reported as 1980(2) SCC 565 as well as



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by another Constitutional Bench of the Hon'ble Supreme Court in case titled as Sushila Aggarwal and others Vs. State (NCT of Delhi) and another reported as 2020 AIR Supreme Court 831, in which it has been specifically observed that filing of the First Information Report is not a condition precedent to the exercise of the power under Section 438 Cr.P.C. and that the imminence of a likely arrest founded on a reasonable belief can be shown to exist even if an FIR is not yet filed. It is argued that in the said circumstances, the petitioner has made only a limited prayer that three days prior notice in the event of FIR being registered be issued to the petitioner in order to avail his legal remedies.

Notice of motion for 02.07.2025. Mr. Chanchal K. Singla, Addl. A.G. Punjab and Mr. Surya Kumar, AAG, Punjab, appear and accept notice on behalf of the State and submit that they wish to file status report.

The said status report be filed on or before the next date of hearing with an advance copy to learned counsel for the petitioner.”

The learned counsel for the petitioner submits that though the FIR has not been registered on the basis of an inquiry, he has a legal right of approaching this Court for the relief of anticipatory bail as he apprehends his arrest. Reliance is placed on the judgment in **Gurbaksh Singh Sibbia Vs. State of Punjab (1980) 2 SCC 565.**

The aforementioned argument has been seriously opposed by the counsel for the State who states that the petitioner has not joined the inquiry proceedings and is not entitled to any relief.



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Faced with this situation, the learned counsel for the petitioner states that the petitioner is ready and willing to join the inquiry proceedings.

Keeping in view the rival contentions, the petitioner is directed to join the inquiry proceedings on 28.07.2025 and any other date subsequent thereto as sought by the investigating agency and during the pendency of such enquiry proceedings, no coercive steps be taken against the petitioner.

Needless to say, in case the petitioner does not cooperate with the inquiry proceedings, the State is entitled to avail its remedy in accordance with law.

In view of the above but without advertent to the merits of the case, the present petition is disposed of with the directions to the State that if it requires the custodial interrogation of the petitioner at any stage, he be given three days advance notice in order for him to avail his remedies in accordance with law.

(JASJIT SINGH BEDI)
JUDGE

23.07.2025
JITESH

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