



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
201

CRM-M-33632-2025 (O&M)
Date of decision: 02.08.2025

Sandeep Singh
.....Petitioner
Versus
State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tarun Seth, Advocate
for Mr. Rajvir Singh, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Bhanu Partap Singh, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.68 dated 18.05.2025 under Sections 305 & 331(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (*Section 317(2) of BNS and Section 25 of Telegraph Act, 1885 were added later on*), registered at Police Station City Khanna, Police District Khanna, District Ludhiana.

2. On 01.07.2025, the following order was passed:-

“XX XX XX XX
Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the present case. The petitioner has been working in the complainant-company for the last 15 years, having unblemished service record. On the intervening night of 17/18.05.2025, one technician namely Gagandeep Singh



called him and informed that two persons namely Inderjit Singh and Gagandeep Singh are climbing on the tower and they are trying to commit theft. Further, the petitioner himself informed the police and reached at the spot at 05.30 a.m. and thereafter, both the aforesaid persons were apprehended and handed over to the police. Furthermore, the report dated 18.05.2025 clearly indicates that no theft had taken place and there was no disruption in the service of the tower in question.

Notice of motion.

Mr. Subhash Godara, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Bhanu Pratap Singh, Advocate appears on behalf of the complainant and files his Vakalatnama in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Learned counsel for the complainant vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner is habitual offender and he is part of the racket, which has committed the theft of certain articles.

Adjourned to 02.08.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 438(2) of Cr.P.C. (now Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023).*



If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

- 3. Learned State counsel assisted by learned counsel for the complainant and on instructions from the investigating officer, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 01.07.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

02.08.2025
yakub

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