

2025:PHHC:079012



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

**CRM-M-34339-2025  
DECIDED ON: 04.07.2025**

**SANDEEP SINGH****.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

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

**SANDEEP MOUDGIL, J (ORAL)****1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.118 Dated 20.05.2025 U/S 303 (2) BNS registered at Police Station Samrala, Police Distt. Khanna, Distt. Ludhiana (Annexure P-1) and for the grant of ad-interim anticipatory bail to the petitioner, during the pendency of the present petition.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

*“Statement of Charanjit Singh son of Bachan Singh resident of House No. 1646, Street No.3, Vishavkarma Nagar aged about 47 years Mob. No. 81466-16481 stated that I am resident of above mentioned address and I working as Security Supervisor at Indus Tower Ltd. (BALN 23, IN 1312345) located at Village Balio. That no security guard has been appointed on our tower but the security alarms have been installed in on our all towers and at night the patrolling party of our company checked all these towers in the night. On 06.05.2025 at about 10:00 AM I received a phone call from ROBO from which I came to know that the site of*

*village Balio tower is completely shut down on which I alongwith Randhir Singh son of Baldev Singh resident of Village Ramgarh, P.S. Jamalpur, Distt. Ludhiana reached on tower where the engineer of the Airtel Company also reached who checked the tower and disclosed that 03 TDD-RRU, 12 Jumper, 03 CIPRI and 3 SFP are missing and we tried to find out all the above mentioned missing articles but we could not found it which have been stolen by some unknown person/persons and still we are searching for the above said articles. In the same way on 17/18.05.2025 the theft was committed our another tower at Narotam Nagar, Khanna where on the statement of the Randhir Singh son of Baldev Singh resident of Village Ramgarh, P.S. Jamalpur, Distt. Ludhiana, one FIR No.68 Dated 18.05.2025 U/S 305/331(4), registered at Police Station City Khanna, Police Distt. Khanna, Distt. Ludhiana against Sandeep Singh son of Baldev Singh resident of Pakhowal Road, Shaheed Karnail Singh Nagar, Basant Avenue, Ludhiana, Distt. Ludhiana, Inderjit Singh son of Major Singh resident of Village Kotla, P.S. Samrala Distt. Ludhiana and Gagandeep Sharma son of Balwinder Sharma resident of Village Sihala, P.S. Samrala Distt. Ludhiana and in this FIR, Inderjit Singh and Gagandeep Sharma have been arrested and from the investigating officer ASI Harminder Kumar of FIR No. 68/2025 of P.S. City Khanna we came to know that Inderjit Singh and Gagandeep Sharma has admitted during interrogation that we all three persons committed theft on different towers at Samrala and other area and these three persons have committed theft of the articles from the tower of village Balio on 05-06/05.2025 in the mid of the night and in this regard, I came police station to inform alongwith Randhir Singh son Baldev Singh resident of Village Ramgarh, P.S. Jamalpur, Distt. Ludhiana. Kindly action be taken against Sandeep Singh, Inderjit Singh and Gagandeep Sharma. Statement has been recorded to you, heard and is correct. Sd/ Charanjit Singh, Sd/- Witness Randhir Singh attested by Sd/- Jarnail Singh ASI, P.S. Samrala, Dated 20.05.2025.”*

3. **Contention**

**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is a delay of 15 days in lodging the FIR. He further submits that the alleged recovery has already been effected from the co-accused and nothing is to be recovered from the petitioner. He undertakes on behalf of the petitioner that he is ready and willing to join the investigation.

Notice of motion.

**On behalf of the State/complainant**

On the asking of Court, Mr. Jastej Singh, Addl. AG, Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner alongwith his co-accused person committed theft of articles in M/s Indus Tower Company Limited and the same are very expensive. Additionally he submits that the petitioner is a habitual offender, as he is involved in another case.

**4. Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that no incriminating material has been put forth by the State to connect the petitioner with the alleged commissioning of offence and nothing is to be recovered from the petitioner, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

As far as the contention of learned State counsel with regard to the pendency of other cases and involvement of the petitioner in other cases is concerned, reliance can be placed upon the order of this Court rendered in CRM-M-25914-2022 titled as “***Baljinder Singh alias Rock vs. State of Punjab***” decided on 02.03.2023, wherein, while referring Article 21 of the Constitution of India, this Court has held that no doubt, at the time of granting bail, the criminal antecedents of the petitioner are to be looked into but at the same time it is equally true that the appreciation of evidence during the course of trial has to be looked into with reference to the evidence in that case alone and not with respect to the evidence in the other pending cases. In such eventuality, strict adherence to the

rule of denial of bail on account of pendency of other cases/convictions in all probability would lend the petitioner in a situation of denial the concession of bail.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)  
JUDGE

04.07.2025  
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Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No