

2025:PHHC:084317



103

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

**CRM-M-36457-2025
DECIDED ON: 14.07.2025**

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

Present: Mr. R.K. Chauhan, Advocate with
Mr. Ankush Chauhan, 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. 43 dated 25.04.2025 under Sections 305, 331(3), 3(5) of BNS, 2023 (Section 317(2) of BNS added later on) registered at Police Station City Morinda, District Rupnagar.

2 Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. As per the prosecution's version, the allegation against the petitioner is that he received the stolen gold ornaments. It is contended that the petitioner was unaware that the said gold ornaments were stolen and had purchased the same in good faith. Learned counsel, on instructions,

also submits that the petitioner is ready and willing to cooperate with the investigation and undertakes to appear before the investigating agency as and when required.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that the petitioner has purchased the gold ornaments from the main accused meaning thereby he has actively participated in the commissioning of offence.

3. **Analysis**

Be that as it may, upon due consideration of the submissions advanced by the respective counsel, and particularly in view of the fact that the allegation against the petitioner is limited to the purchase of stolen gold ornaments, which he is stated to have acquired in good faith without knowledge of its stolen nature added with the fact that he was named on the basis of disclosure statement of main accused and is a person of clean antecedents, as he is not involved in any other case, custodial interrogation of the petitioner is not required.

In the light of above, 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.

4. **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

14.07.2025
Meenu

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