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

CRM-M-38364-2025

Date of decision: August 20, 2025

Gurjant Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:** Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.15 dated 07.02.2025, under Sections 303(2), 238 of the BNS, 2023, registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur, Punjab.

2. On 21.07.2025, the following order was passed:

"Apprehending his arrest in FIR No.15 dated 07.02.2025 registered for offences punishable under Section 303(2), 238 of BNS 2023 at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail.

Counsel for the petitioner, inter alia, contends that the FIR was registered on 07.02.2025 against unknown persons, the petitioner came to be arrested on the basis of supplementary statement made on 16.03.2025 which is without any basis, though the petitioner had been extended concession of ad-interim anticipatory bail by the Sessions Court which came to be declined only on account of non-cooperation in investigation & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.



On the strength of advance notice; Mr. Gurpartap S. Bhullar, AAG, Punjab has entered appearance on behalf of the respondent-State of Punjab.

Adjourned to 20.08.2025.

The petitioner is directed to appear before the Investigating Officer on 28.07.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.”

3. Learned State counsel (on instructions) has submitted that pursuant to the order dated 21.07.2025, the petitioner has joined investigation, but his custodial interrogation is required to effect recovery of the tractor in question.

4. Having heard learned counsel for the rival parties and upon perusal of the record of the case; especially, keeping in view the factum of the petitioner having joined investigation and cooperated in all other counts except for alleged recovery of the tractor in question, the interim order dated 21.07.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

5. Petition stands allowed, accordingly.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.



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8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 20, 2025
mahavir

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