



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CRM-M-40144-2025

Date of decision: 04.12.2025

Gurtej Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. K.S. Derabassi, Advocate for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J (ORAL)

1. This order shall dispose of present petition for grant of anticipatory bail filed by the petitioner, an accused in case FIR No.322 dated 04.07.2025 under Sections 420,465,471,120-B IPC registered at P.S Zirakpur, District SAS Nagar.
2. Learned State counsel, on instructions from ASI Balraj Singh, submits that the petitioner has since joined the investigation and is no longer required for further custodial interrogation.
3. Heard.
4. On 28.07.2025, following order was passed by this Court:

“Instant petition is preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in FIR No.322 dated 04.07.2025 under Sections 420, 465, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Zirakpur, District SAS Nagar.

Learned counsel for the petitioner, inter alia, contends that the petitioner is not beneficiary of the alleged transaction. No specific role or overt act has been attributed to the petitioner except that he is the attesting witness to the agreement to sell, which was executed between co-accused Surinder Singh and Gurpreet Singh. Further, the civil dispute is already pending before the competent Court of jurisdiction. The petitioner is having clean antecedents and he is not involved in any other case.

Notice of motion for 28.08.2025.

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 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

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.”

5. Keeping in view the above submissions advanced by learned counsel for the petitioner as also the fact that the petitioner has joined the investigation, interim bail granted vide order dated 28.07.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

04.12.2025
manoj

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No