



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

CRM-M-41794-2025

Date of decision: 15.09.2025

CHAMAN LAL

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Geeteshwar Saini, Advocate for
Mr. R.K. Arya, Advocate for the petitioner.

Mr. Amit Shukla, DAG Punjab.

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RUPINDERJIT CHAHAL, J. (ORAL)

Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS"), the petitioner seeks anticipatory bail in case FIR No.84 dated 09.11.2024 under Sections 112 and 303(2) BNS and Section 21 of the Mines and Minerals (Regulation and Development) Act, 1957, registered at Police Station Ladhuwal, District Police Commissionerate, Ludhiana.

2. On 04.08.2025, following order had been passed: -

" Instant petition is preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.84 dated 09.11.2024 under Sections 112 & 303(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 21 of Mines and Minerals (Regulation & Development) Act, 1957 (for short 'the Act'), registered at Police Station Ladhuwal, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner, inter alia, contends that main accused Simranjit Singh Gill and Lakhvir Singh, who are owners of the tipper and tractor-trolley, have already been granted the concession of ad interim anticipatory bail by the Coordinate



*Bench of this Court vide order dated 18.12.2024 passed in CRM-M-63949-2024 and the order dated 24.12.2024 passed in CRM-M-65495-2024, respectively. Further, registration of FIR (supra) under the provisions of BNS itself is not permissible in terms of Section 22 of the Act, as laid down by the Hon'ble Supreme Court in **Kanwar Pal Singh Vs. State of Uttar Pradesh and another, 2020 (1) RCR (Crl.) 539.***

Notice of motion for 15.09.2025.

*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.

3. Learned counsel for the petitioner submits that in compliance of the order dated 04.08.2025 passed by this Court, the petitioner has joined the investigation.

4. Learned counsel for the State, on instructions from ASI Major Singh, has submitted that the petitioner has joined the investigation and is no longer required for further investigation.

5. In view of the statement made by learned State counsel, the interim order dated 04.08.2025 is made absolute. The petitioner shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 482(2) of the BNSS.

15.09.2025
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(RUPINDERJIT CHAHAL)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |