

2025.PHHC.021154



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(207)

CRM-M-54269-2024 (O&M)
Date of decision: 13.02.2025

Ankit Verma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Digvijay Nagpal, Advocate for the petitioner.

Ms.Avneet, AAG, Punjab
Assisted by ASI-Pawan Kumar.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of pre-arrest bail to the petitioner in FIR No.269 dated 22.10.2023, under Sections 420, 120-B of Indian Penal Code, 1860 (for short, 'IPC') (Sections 467 & 468 of IPC added lateron), registered at Police Station Patran, District Patiala.

2. Allegations are that petitioner's firm was not having any licence; rather prepared forged bills of a fake firm and used the same as genuine for transporting paddy and caused loss to State Exchequer.

3. Contends that this Court granted interim bail to petitioner on 04.11.2024 and in terms thereof, he has already joined the investigation; hence his custodial interrogation is not required.

4. Learned State Counsel, on instructions, acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioner is not required.

5. Heard learned Counsel for the parties and perused the paper-book.

6. It is not in dispute that that petitioner was granted interim bail by this Court vide order dated 04.11.2024 and the order reads as under:-

“Contends that petitioner was granted the concession of pre-arrest bail by this Court vide order dated 15.02.2024 (P-4) in CRM-M-61237-2023, but now some offences i.e. Sections 467 and 468 of Indian Penal Code, 1860 (for short, ‘IPC’) have been added by the Police on 09.09.2024.

Notice of motion.

At this stage, Ms. Neha Sonawane, learned DAG, Punjab accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 25.11.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. Petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

7. Further acknowledged by learned State counsel that in pursuance of aforesaid order, petitioner has joined the investigation; hence his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner since the petitioner has already joined investigation.

9. Consequently, present petition is allowed; interim order dated 04.11.2024 is made absolute subject to the conditions envisaged under Section 482 (2) of the BNSS.

10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

11. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

12. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

13.02.2025
sailesh

(MAHABIR SINGH SINDHU)
JUDGE

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