



CRM-M-61746-2024 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-61746-2024 (O&M)
Date of Decision: 28.01.2025

Ramdeen

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aajeshwer Singh Grewal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

Mahabir Singh Sindhu, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.170 dated 07.11.2024 (P-1), under Sections 303(2) and 317(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Sadar, District Bathinda.

2. Status report by way of affidavit dated 27.01.2025 of Ms. Heena Gupta, PPS, Deputy Superintendent of Police, Rural, Bathinda on behalf of respondent-State has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with other co-accused were found in conscious possession of cable and other material of mobile tower knowingly or having reason to believe that the same is a stolen property.



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4. Contends that petitioner was granted interim bail by the Coordinate Bench, vide order dated 10.12.2024 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required. Also contends that no other criminal case is pending against the petitioner.

5. The above factual position is not disputed by learned State Counsel, on instructions from the investigating officer.

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

7. It transpires that petitioner was granted interim bail by the Coordinate Bench, vide order dated 10.12.2024 and the order reads as under:-

“Through the instant petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), prayer is made for grant of 'anticipatory bail' to the petitioner in case FIR no.170, dated 07.11.2024 (Annexure P-1), under Sections 303(2) and 317 (2) of the BNS, 2023, registered at Police Station Sadar District Bathinda.

In asking for the relief of pre-arrest bail, learned counsel for the petitioner, submits that there is no inculpatory evidence with the prosecution, except the disclosure statement, to connect the present petitioner with the instant crime.

He further submits that the petitioner is a man of clean antecedents.

Notice of motion.

Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State, and waives service.

Adjourned to 21.01.2025.



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In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

8. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

9. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 10.12.2024 is made absolute subject to the conditions as envisaged under Section 482 (2) of 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 be not 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.

28.01.2025
D.Bansal

(MAHABIR SINGH SINDHU)
JUDGE