



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-61759-2024 (O&M)
Date of Decision:- 05.02.2025

NAVJOT SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Swati Tiwana, Advocate for the petitioner.
Mr. Rajinder Singh Bhatta, DAG Punjab.
Mr. Kulwinder Bhargav, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
102	28.07.2024	331(4), 305, 317(2) of Bharatiya Nyaya Sanhita, 2023	Sadar Kapurthala, District Kapurthala

2. It is *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and has been falsely implicated in the case.
She submits that the petitioner is not named in the FIR but has been
nominated on the disclosure statement of the co-accused Neelam. She



further submits that the petitioner has no concern with the allegations and is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

3. *Per contra*, learned State counsel assisted by learned counsel for the complainant while referring to the status report filed by State has assailed these arguments and submitted that the custodial interrogation of the petitioner is required to effect the recovery of stolen articles, hence prayed for dismissal of the petition.

4. After considering the rival contentions and perusing the record, it transpires that the instant case was registered on the statement of Sandeep Kaur alleging that she resides along with her children as her husband has gone abroad. On 16.07.2024, she had gone to her parents' village and returned on 17.07.2024 at about 01:30 PM, and found that the door of the bedroom was broken and the articles were lying scattered. The Almirah was also lying open with locker broken. On checking, she found that her gold jewellery, silver jewellery, five gents watches, one mobile phone, one tablet of Cidea, and one ATM card was stolen. Later, she came to know that the theft has been committed by Tejpal, Navjot Singh (present petitioner) along with Sunny and Neelam. On the basis of the same, the FIR was registered, and subsequently co-accused Tejpal was arrested. Co-accused Neelam was granted the concession of interim anticipatory bail by learned Additional Sessions Judge, Kapurthala vide order dated 08.08.2024 and joined the investigation and suffered disclosure statement stating the manner in which the occurrence had taken place and that the petitioner had actively



participated in the said theft. It is evident that apart from the petitioner being named by the complainant in the FIR itself, there is also specific attribution by accused Neelam during her disclosure statement. Therefore, the custodial interrogation of the petitioner is required for effecting the recovery of stolen articles.

5. In view of the above, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail as a consequence, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

05.02.2025
S.Sharma(syr)

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