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

**CRM-M-61991-2024
Date of Decision: 30.04.2025**

Jatinder Singh @ Jatinder Singh Dhaliwal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. P.S. Bhandari, AAG, Punjab.

Mr. Himmat Singh Deol Advocate
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.180, dated 02.11.2024, under Sections 76, 351(2) of Bharatiya Nyaya Sanhita, 2023 registered at Police Station Nihal Singh Wala, Moga.

2. Learned counsel for the petitioner submitted that when notice of motion was issued by this Court on 17.12.2024, then it was directed that no coercive action shall be taken against the petitioner. He submitted that the petitioner has not only joined the investigation but has also fully cooperated with the investigation process and after investigation of the case, it was found by the police that the petitioner was innocent. Therefore, he has prayed that the aforesaid interim order may be made absolute.

3. Learned counsel for the petitioner further submitted that at the time of passing of the aforesaid order dated 17.12.2024, it was also directed by this Court that the petitioner shall surrender his passport before the Chief

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Judicial Magistrate concerned within five days to which he has already surrendered and submitted that since the petitioner has been declared to be innocent by the police, the aforesaid condition now be deleted and the passport may be returned to him.

4. On the other hand, Mr. P.S. Bhandari, learned AAG, Punjab, has stated on instructions from ASI Rajwinder that the petitioner has joined investigation and has cooperated with the investigation process. He further submitted that he has specific instructions to state that on investigation the petitioner has been found to be innocent and a cancellation report has been prepared which has been duly approved by the Senior Superintendent of Police and the same will be filed before the competent Court as early as possible. He also submitted that he has no objection in case the aforesaid condition is deleted since the petitioner has been exonerated by the police

5. Mr. Himmat Singh Deol, learned counsel for the complainant has submitted that since the petitioner has been found to be innocent and a cancellation report has been prepared, the complainant will take appropriate remedy by filing an appropriate application before the concerned competent Court.

6. In view of the aforesaid facts and circumstances, the present petition is allowed. It is directed that in case in future the petitioner is required to join investigation, then he shall join the same and shall also co-operate fully with the investigation process. In the event of arrest, the petitioner shall be released on bail on his furnishing of personal bonds and surety bonds to the satisfaction of the Arresting/Investigating Officer and he shall also abide by the conditions as provided under Section 482(2) BNSS.

7. So far as the condition imposed with regard to surrender of

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passport which according to the learned counsel for the petitioner, the petitioner has already surrendered before learned Chief Judicial Magistrate is concerned, the same stands deleted. The petitioner shall be returned his passport by learned Chief Judicial Magistrate concerned.

30.04.2025**(JASGURPREET SINGH PURI)***Bhumika***JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |