

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

CRM-M-62497-2024
Date of decision: 21.05.2025

JASPAL SINGH @ JASPAL

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

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

Mr. K.D. Sachdeva, DAG Punjab.

.....
SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
80	15.11.2024	125 BNS (Section 109,111 BNS added later on) and 25, 27 of Arms Act	Kotli Surat Mallian, District Batala

2. Learned counsel for the petitioner submits that in compliance to the order dated 12.12.2024, the petitioner has joined the investigation.

3. During the course of hearing on 12.12.2024, following order had been passed: -

“ Prayer is for grant of anticipatory bail to the petitioner under Section 482 of BNSS, 2023 in criminal case having FIR No.80 dated 15.11.2024 registered under Sections 125 of BNS, 2023 and Sections 25 and 27 of Arms Act at Police Station Kotli Surat Mallian, District Batala.



Counsel for the petitioner inter alia submits that the FIR in this case was registered against unknown persons who fired shots in front of the house of the complainant and that subsequently, the petitioner is falsely nominated as accused and has nothing to do with the aforesaid firing. It is further submitted that even otherwise this is a no injury case and petitioner who is having no criminal history is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from SI Baljinder Singh submits that no doubt the FIR in this case was registered against unknown persons but during investigation the petitioner was nominated as accused on the basis of disclosure statement of co-accused Nishan Singh, as per which the petitioner prepared the video of house of complainant and then transmitted the same to co-accused Sehajpreet Singh. However, the State counsel has not disputed the fact that petitioner was not physically present at the time of alleged firing in front of the house of the complainant and that no one sustained injuries on account of said firing. Learned State counsel further apprised the Court that later on offences under Section 109 and 111 of BNS, 2023 are added by the police.

At this stage, counsel for the petitioner made oral request that the aforesaid offences be also added in the present petition.

Registry is directed to do the needful.

Apparently, it appears to be a no injury case, so, petitioner is hereby directed to join investigation with the police and in case of arrest, he is directed to be released on interim bail by the 10/Arresting Officer to his own satisfaction till the next date of hearing. The petitioner is to abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

Now be listed on 05.02.2025.”

4. Learned State counsel on instructions received from Investigating Officer of the case informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.



5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 12.12.2024 passed by this Court, interim bail granted vide order dated 12.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

21.05.2025
puneet

(SANJIV BERRY)
JUDGE

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