

CRM-M-64500-2025

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

(104)

CRM-M-64500-2025

Date of Decision:- 17.11.2025

Santokh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

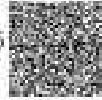
CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. R.S. Waraich, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking grant of anticipatory bail to the petitioner in case FIR No. 264 dated 26.11.2024 under Sections 85, 115(2) and 3(5) of BNS, 2023 registered at Police Station Samrala, Police District Khanna, District Ludhiana (Annexure P-1)
2. A perusal of the order dated 11.07.2025 passed by learned Additional Sessions Judge, Ludhiana, demonstrates that the anticipatory bail application filed by the petitioner was disposed off with the direction to the Investigation Officer to strictly adhere to the provisions of Section 35 of the BNSS i.e. formerly Section 41(A) Cr.P.C. as per the guidelines issued by the Hon'ble Supreme Court of India in the case of "***Arnesh Kumar Vs. State of Bihar***", (2014) 8 SCC 273.
3. On a specific query put by this Court to the counsel for the petitioner, it is submitted that as of date, no notice under Section 41(A) Cr.P.C. (Section 35 of BNSS) has been issued to the petitioner.



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4. Faced with the above, learned counsel for the petitioner does not press the present petition at this stage with liberty to seek its redressal at an appropriate stage.

5. Accordingly, the present petition stands dismissed as not pressed at this stage. However, learned State counsel is directed to comply with the above-said order in its true letter and spirit and liberty is granted to the petitioner to approach the Court of competent jurisdiction in accordance with law at an appropriate stage.

6. It is made clear that the Court has not expressed any opinion on the merits of this case and the liberty granted, if any, is only on the request of the counsel for the petitioner and is not a direction.

(ALOK JAIN)
JUDGE

17.11.2025*Parul*

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No