



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212-2

CRM-M-24493-2025

ASHU AGGARWAL

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

Date of decision: 15.01.2026

Date of uploading:15.01.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sanjay Kaushal, Sr. Advocate with
Mr. A.P. Setia, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. Shubhkarman Singh Gill, Advocate for the complainant.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case bearing FIR No. 59 dated 17.04.2025 , registered for the offences punishable under Sections 305 (a), 329 (3), 318 (4), 351 (3), 296, 62, 190, 191 (2), 61 of BNS at Police Station Dakha, District Ludhiana Rural.

2. On 06.05.2025, the following order was passed:-

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



<i>FIR No.</i>	<i>Dated</i>	<i>Sections</i>	<i>Police Station</i>
59	17.04.2025	305 (a), 329 (3), 318 (4), 351 (3), 296, 62, 190, 191 (2), 61 of BNS	Dakha, District Ludhiana Rural

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is not named in the FIR nor is he signatory to the agreement (Annexure P-2) or to the sale deed (Annexure P-3).
3. Learned counsel for the petitioner further contends that the allegations levelled in the FIR are against the brother of the petitioner and the niece of the petitioner. He contends that the petitioner is neither party to the said transaction nor beneficiary thereto and the petitioner has been falsely implicated on flimsy grounds alleged to have stolen the pillars from the spot. He further contends that the petitioner is not having any criminal antecedents and is ready to join the investigation.
4. Notice of motion.
5. On the asking of the Court, Mr. Jatinderpal Singh, Sr. DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter. Needful be done well before the date fixed with an advance copy to the counsel opposite.
6. Mr. Kshitij Sharma, Advocate has put in appearance on behalf of the complainant to assist the learned State counsel and has filed his memo of appearance. The same is taken on record.
7. Adjourned to 22.05.2025.
8. In the meanwhile, the arrest of the petitioner shall remain stayed till the next date of hearing.”

3. On 03.07.2025, the following order was passed:-

“Reiterating the submissions made on 06.05.2025; learned senior counsel for the petitioner has iterated that the FIR has genesis in a civil dispute, no effective recovery is to be made from the petitioner & the petitioner is willing to join the investigation and cooperate therein.

At this stage, learned State counsel (assisted by learned counsel for the complainant) has vehemently opposed the grant of interim anticipatory bail to the petitioner by arguing that the allegations made against the petitioner are serious in nature and that, in case interim/anticipatory bail is extended to the petitioner, he is likely to influence the witnesses as also the investigation.

Adjourned to 29.07.2025.



The petitioner is directed to appear before the Investigating Officer on 07.07.2025 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of the BNSS.”

4. The matter was referred to the Mediation and Conciliation Centre of this Court; however, the mediation proceedings could not be fructified.

5. Learned State counsel, on instructions, has stated that pursuant to the order dated 06.05.2025 and 03.07.2025 the petitioner has joined investigation and is no longer required for custodial interrogation.

6. Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner by arguing that the allegations raised against the petitioner are direct/serious in nature and hence he ought not to be extended the concession of anticipatory bail. He has further iterated that in case the petitioner is extended the concession of anticipatory bail, there is all the likelihood that he may interfere with the investigation as also intimidate the investigation/witnesses.

7. Keeping in view the factual milieu of the case in hand; especially the factum of the petitioner having joined investigation and cooperated therein and is no longer required by the State for further custodial interrogation, this Court is inclined to confirm the order dated 03.07.2025 granting anticipatory bail to the petitioner, subject to the conditions as enumerated under Section 482(2) of BNSS.

8. Ordered accordingly.



9. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
10. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS, 2023 or upon showing any other sufficient cause.
11. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
12. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

15.01.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No