

CRM-M-43256-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-43256-2025
Decided on: 25.03.2026

Gurwinder Singh @ Gurbinder Singh @ RubiPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Gurwinder Singh @ Gurbinder Singh @ Rubi	0036	22.04.2025	304, 307 (328 of IPC) of BNS	Ladhowal	Ludhiana

2. After hearing learned counsel for the petitioner on 08.08.2025 following was recorded:

- “1. xxxxx
2. Learned counsel for the petitioner, inter alia, submits that the alleged incident of snatching took place on 16.04.2025; however, FIR was lodged for the first time on 22.04.2025.



Complainant, namely Kailash Singh, initially claimed that he was unaware of the identity of the alleged snatchers on the day of the incident, but later asserted that he had come to know their names, and accordingly identified the accused persons as Gurwinder Singh @ Gurbinder Singh @ Rubi (petitioner herein) and Judge Singh @ Bablu.

3. In the FIR, complainant stated that he was employed with Nitesh Food Products Private Limited and, after delivering goods and collecting an amount of Rs.15,000/-Rs.16,000/-, said amount was snatched from him, while he was on his way back.

4. Learned counsel for the petitioner argues that had there been any such incident happened on 16.04.2025, and snatched amount, also belonging to the company, it was not probable that neither complainant nor the company would have lodged complaint with the police immediately. The delay in lodging FIR, raises serious doubt over the veracity of the allegations.

4. It is further submitted that FIR has been registered against the petitioner due to some enmity on the part of certain police officials. In fact, on 19.04.2025, police personnel allegedly, visited the petitioner's residence and forcibly picked up his mother, brother-in-law and son, misbehaved with them, and took them to the police station without any lawful justification.

5. Faced with this, petitioner had to submit one representation dated 21.04.2025 before the Commissioner of Police, Ludhiana, but no action was taken. Consequently, he was compelled to file a direction petition, i.e. CRM-M-25474-2025, which was disposed of, by this Court, on 27.05.2025 (Annexure P-3), directing Commissioner of Police, Police Station Haibowal, Ludhiana, to consider the representation and take appropriate action at the earliest, if deemed necessary.

6. Lastly, counsel for the petitioner submits that petitioner has been falsely implicated in the incident, and, therefore, he prays for grant of concession of anticipatory bail to the petitioner in the present case, as petitioner expresses his willingness to cooperate with the investigation and submit himself for interrogation, if protected from arrest by this Court.

7. Notice of motion.

8. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and submits that in fact, petitioner is an accused in three other similar cases, and he being habitual, has developed his own version in advance to get exonerated from the allegations. However, learned State counsel seeks some time to file status report in the matter.

9. Adjourned to 11.11.2025.

10. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).



11. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner submits that, in compliance with the order dated 08.08.2025 passed by this Court, petitioner has joined the investigation and has extended full cooperation. Learned counsel further submits that petitioner has been falsely implicated in another case after being granted interim bail by this Court, and that same is merely an attempt to harass and pressurize the petitioner. He, therefore, prays for confirmation of the interim anticipatory bail order.

4. Learned State counsel has filed status report by way of an affidavit of Jatinder Pal Singh, PPS, Assistant Commissioner of Police, West Ludhiana, in Court today. Same is taken on record. Registry is directed to tag the same at appropriate place with the paper-book.

5. I have heard learned counsel for the parties and perused the paper-book and gone through the status report.

6. As per paragraph No. 15 of the status report, the petitioner is found to be involved in a total of five cases, almost all of a similar nature. One such case, i.e., FIR No. 177 dated 03.10.2025, under Sections 304 and 3(5) of the BNS, registered at Police Station Salem Tabri, District Ludhiana, is still under investigation and was, in fact, lodged after the petitioner had been granted the concession of interim bail.

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7. Neither any plausible explanation is available on record, nor has the learned State counsel been able to explain the delay of six days in lodging the FIR, except for the details mentioned by the complainant himself.

Considering the circumstances in their totality, and noticing the allegations in the present case, particularly that the complaint was moved by the complainant after a delay of six days, and further that the petitioner has already joined the investigation, ad-interim bail order dated 08.08.2025 passed by this Court is hereby made absolute. Accordingly, the present petition is allowed.

It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess one, is not submitted to the Investigating Agency or the Court concerned within a period of one week from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

9. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

25.03.2026

Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**