

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

**CRM-M-73048-2025**  
**Decided on: 16.03.2026**

.....Petitioner

## Versus

.....Respondent

Present: Mr. Manoj Kumar, Advocate  
for the petitioner.

Mr. Vinay Malhotra, DAG Punjab

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**SANJAY VASHISTH, J. (ORAL)**

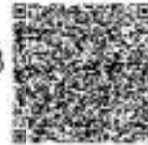
1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.063 dated 29.05.2025, under Sections 132, 221 of BNS and 21(1) of Mines and Mineral (Development and Regulations) Act, 1957, at PS Hariana, District Hoshiarpur.

2. On 23.12.2025, following order was passed:

“(i) \*\*\* \*\*\* \*\*\* \*\*\*

(ii) As per the allegations in the FIR, on 29.05.2025, Constable Pawanpreet Singh informed the members of the police team, who were on patrolling duty, that he had received secret information regarding the loading of sand into a tractor trolley by accused, namely Rajinder Singh and Harjinder Singh (sons of Baldev Singh), along with one more companion. It was further informed that if raid was conducted, the accused could be apprehended along with the tractor trolley loaded with sand.

(iii) Upon conducting the raid, the members of the police team noticed three persons loading sand into a Sonalika tractor trolley. One of the persons, upon

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*noticing the police party, succeeded in fleeing from the spot, whereas the other two accused, namely Rajinder Singh and Harjinder Singh, were apprehended and arrested on the spot.*

*(iv) Learned counsel for the petitioner argues that the name of the petitioner was not mentioned in the FIR and that he has been subsequently implicated solely on the basis of the disclosure statement of the already arrested accused, namely Harjinder Singh & Rajinder Singh. Learned counsel further submits that, apart from the disclosure statement, there is no other evidence available with the prosecution against the petitioner.*

*(v) Learned counsel for the petitioner also contends that both main accused, namely Rajinder Singh and Harjinder Singh, have already been released on bail. It is further submitted that the custodial interrogation of the petitioner would not serve any meaningful purpose, as the tractor trolley has already been taken into possession by the police. Moreover, petitioner is ready and willing to join the investigation, provided he is protected from arrest.*

*In view of the above, learned counsel prays for the grant of anticipatory bail to the petitioner.*

*(vi) Notice of motion.*

*(vii) On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab puts in appearance on behalf of the respondent – State. He seeks some time to file reply.*

*(viii) Adjourned to 16.03.2026.*

*(ix) In the meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. 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.).*

*(x) 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. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 23.12.2025, the petitioner has joined investigation.



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4. Learned State counsel on instructions from ASI Sarabjit Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 24.01.2026, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 23.12.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

**16.03.2026**

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**(SANJAY VASHISTH)  
JUDGE**

Whether Speaking/Reasoned:  
Whether Reportable:

**YES/NO  
YES/NO**