



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

**CRM-M-13599-2025
Date of decision: 04.04.2025**

JASMEET SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. V.P.S. Mithewal, Advocate and
Mr. H.V. Gupta, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.43 dated 03.12.2023 under Sections 21(1), 4(1) of Mines and Minerals (Regulation and Development Act, 1957) and Section 379 IPC registered at Police Station Nangal Bhoor, District Pathankot (Annexure P-1).

2. On 11.03.2025, following order was passed:

“The present petition has been filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.43 dated 03.12.2023 under Sections 21(1), 4(1) of Mines and Minerals (Regulation and Development Act, 1957) and Section 379 IPC registered at Police Station Nangal Bhoor, District Pathankot (Annexure P-1).

Learned counsel for the petitioner inter alia contends that similarly situated co-accused, namely, Sandeep Singh, Pawandeep Sharma and Amandeep Sharma were granted the concession of anticipatory bail by this Court in cases bearing Nos.CRM-M-9174 of 2024



titled as ‘Sandeep Singh vs. State of Punjab’ (Annexure P-2), CRM-M-7745 of 2024 titled as ‘Pawandeep Sharma vs. State of Punjab’ (Annexure P-3) and CRM-M-7754 of 2024 titled as ‘Amandeep Sharma vs. State of Punjab’ (Annexure P-4) respectively. He further contends that none of the vehicles recovered during investigation, are owned by the petitioner. Learned counsel submits that the petitioner is not named in the FIR (supra) and maximum sentence provided for the offences alleged to be committed in the FIR (supra), registered against the petitioner, is 05 years.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the law enunciated by the Hon’ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Mohd. Muslim alias Hussain Vs. State (NCT of Delhi) 2023 SCC OnLine SC 352**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on her doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) BNSS, 2023.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct her to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 04.04.2025.



Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.”

3. Learned State counsel, on instructions from ASI Parkash Chand, submits that in compliance of order dated 11.03.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel, the order dated 11.03.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482 BNSS, 2023 (*Erstwhile Section 438 (2) Cr.P.C.*)

5. The petition is accordingly disposed of.

6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

April 04, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |