



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

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**CRM-M-33920-2025
Date of decision: 14.07.2025**

SAHIL SAINI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Raj Kumar Arya, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

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 First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sahil Saini, aged about 30 years	67	09.12.2024	308(5) of BNS (Sections 21(b), 27(a), 29, 20-61-85, 61(2) of the NDPS Act added later on)	Tibber	Gurdaspur

2. In the instant anticipatory bail petition, on 03.07.2025, following order was passed:-

“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
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<i>Sahil Saini, aged about 30 years</i>	<i>67</i>	<i>09.12.2024</i>	<i>308(5) of BNS (Sections 21(b), 27(a), 29, 20-61- 85, 61(2) of the NDPS Act added later on)</i>	<i>Tibber</i>	<i>Gurdaspur</i>
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2. *On the very outset, learned State counsel informs the Court that three other criminal cases are found to be registered against the petitioner, i.e. (1) FIR No.290 dated 09.09.2020 under Sections 25, 54, 59 of the Arms Act and Sections 307, 188 of the IPC, 51 of the Disaster Management Act and 03 of the Epidemic Diseases Act; (2) FIR No.116 of 2016 under Sections 415, 452, 324, 506, 148, and 149 of the IPC; and (3) FIR No.52 of 2013 under Sections 326 and 323 of the IPC.*

3. *In order to verify whether the petitioner was previously found to be associated with any gang or group, learned State counsel seeks an adjournment.*

4. *List again on 07.07.2025.*

To be shown in the urgent list.”

3. By confirming the previous history of the petitioner, learned State counsel informs that petitioner is not found to be associated with any gang or group, as per investigation.

4. Short reply dated 13.07.2025 by way of an affidavit of Mohan Singh, PPS, Deputy Superintendent of Police, Sub, Division City, District Gurdspur has been filed on behalf of respondent-State. The same is taken on record.

5. Prosecution has alleged that on the basis of disclosure statement of co-accused Rohit Kumar from whom 20 grams of heroin was recovered, petitioner was considered to be a member of the gang, who is busy in extorting amount from the public.

6. Solely relying upon the disclosure statement could not be enough for the prosecution because the allegations are required to be established with some other supporting and cogent evidence.

However, petitioner is ready to join the investigation if protected from arrest.

7. In view of the above, the petitioner is directed to join the



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investigation within a period of 02 weeks from today or 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.).

8. Besides, the petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

9. Accordingly, the present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

14.07.2025
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No