

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2025:PHHC:031410



(227)

CRM-M-63935-2024

Date of Decision: 05.03.2025

Himanshu

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Amit Sharma, Advocate for petitioner.

Mr. Shiva Khurmi, AAG, Punjab with
ASI Balraj Singh

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS, 2023 in case FIR No.76 dated 04.11.2024 under Sections 304(2), 3(5), 317(2) of BNSS, 2023, registered at Police Station, Division No.4, District Ludhiana.

On the last date of hearing, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner, inter alia, contends that petitioner’s false implication in the present case is evident from the fact that he was not named in the FIR in question, even though the co-accused was specifically named. Petitioner came to be nominated as an accused in a disclosure statement allegedly suffered by co-accused Prince, who claimed that the petitioner was accompanying him when the mobile handset of

the complainant was snatched on 03.11.2024. Learned counsel has asserted that the petitioner has no previous criminal antecedents, which further points to his innocence. It has also been submitted that since the recovery of the mobile handset allegedly snatched from the complainant already stands affected from co-accused Prince, the custodial interrogation of the petitioner would not be necessitated.”

Learned counsel for the petitioner submits that in compliance of order dated 18.12.2024, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 18.12.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

**(MANJARI NEHRU KAUL)
JUDGE**

05.03.2025

lucky

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