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

CRM-M-22340-2025

Date of decision: 26.05.2025

Narender Singh

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Keshav Pratap Singh, Advocate and
Mr. Kunal Singh, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.350 dated 13.11.2024 under Sections 303/111(4)/317(2)/61 of BNS (Sections 111(4)/317(2)/61 of BNS were deleted later on) registered at Police Station Sector 5, Panchkula, District Panchkula.

On 29.04.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.350 dated 13.11.2024 under Sections 303, 111(4), 317(2), 61 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 111(4), 317(2) & 61 of BNS were added later on), registered at Police Station Sector 5, Panchkula, District Panchkula.

Learned counsel for the petitioner, inter alia, contends that the petitioner has been falsely implicated in the present case on the basis of disclosure statement made by co-accused Kewal Singh, who was also nominated as accused after obtaining his production warrants, as he was already incarcerated in another FIR. The allegations against the petitioner are that he mediated in selling the stolen car to a resident of Nagaland. Further, the petitioner, on the asking of the police, had gone to Nagaland to trace the aforesaid person and remained there for one week. After the person, who purchased the stolen vehicle, was not found, the petitioner has been nominated as accused in the FIR (supra). It is further contended that the petitioner is suffering from Hemangioma (tumor) and is undergoing treatment from PGIMS, Rohtak. Furthermore, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 05 years. Moreover, the stolen vehicle has already been recovered. Although the petitioner is involved in some other cases, details of which have been fairly provided in para No.16 of the present petition, however, he is on bail.

Notice of motion for 26.05.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam***



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Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

*If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court. In view of the ratio of law laid down by Hon'ble Supreme Court in **Prabhakar Tiwari Vs. State of UP and anr., 2020(1) RCR (Criminal) 831** and **Maulana Mohd. Amir Rashadi Vs. State of U.P. and others, 2012(2) SCC 382**, the involvement of an accused in other criminal cases cannot be the sole ground to deny him the concession of bail.*

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.'

Learned State counsel on instructions from DCP Amit Dahiya and SI Pradeep Kumar, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 29.04.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

26.05.2025

Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No