



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

CRM-M-878-2025

Date of decision: 10.01.2025

HARNEK SINGH AND ANR

....PETITIONER(S)

Versus

STATE OF PUNJAB

....RESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Simranjeet Singh, Advocate and
Ms. Simranjeet Kaur, Advocate
for the petitioners.

SANJIV BERRY, J.(ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, the petitioners seek anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
141	17.10.2024	118, 115 (2), 351 (2), 126, 191 (3), 190 of BNS, 2023	Kot Ise Khan, District Moga, Punjab.

2. It is, *inter alia*, contended by learned counsel for the petitioners that the petitioners are innocent and have not in any manner involved in the instant FIR. He has referred to the order dated 24.10.2024 (Annexure P-3) passed by learned Additional Sessions Judge, Moga, in the petition for anticipatory bail moved by the petitioner titled '*Harnek Singh Versus State*', wherein the Investigating Officer ASI Nachtar Singh, has suffered statement that the petitioner is not named in the FIR nor he is required for further investigation at this stage and accordingly, the petition was rendered

**CRM-M-878-2025****-2-**

infructuous. He has also referred to the order dated 30.10.2024 passed by learned Additional Sessions Judge, Moga, in the bail application of petitioner Kulbir Singh wherein similar report was received from the Police Station Kot Ise Khan, to the fact that the petitioner Kulbir Singh is not required to be arrested in any FIR leading to dismissal of the petition being rendered infructuous. He submits that even thereafter, the police is raiding the premises of petitioners. Hence, the petition.

3. Notice of motion.

4. On the asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and on instructions from ASI Nachtar Singh, Investigating Officer of the case who is present in Court, has categorically stated that neither the petitioners Harnek Singh and Kulbir Singh were named in the FIR nor they are required to be arrested in this case as of now and in case during investigation are required to be arrested, the police will serve them prior notice in accordance with law.

5. In view of the specific statement given by learned State counsel on instructions from ASI Nachtar Singh, Investigating Officer of the case, the instant petition has been rendered infructuous at this stage.

6. Pending application(s), if any, also stand disposed of.

(SANJIV BERRY)
JUDGE

10.01.2025

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i) Whether speaking/reasoned? Yes/No
ii) Whether reportable? Yes/No