

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:085524



(207)

CRM-M-25237-2025
Decided on: 15.07.2025

Buta Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE SUMEET GOEL

Present: Mr. Bhavyadeep Walia, Advocate for petitioner (Through V.C.).

Mr. Jaypreet Singh, DAG, Punjab.

Mr. Gursimran Singh Madaan, Advocate for the complainant.

Sumeet Goel (Oral):

1. Apprehending his arrest in FIR No.36 dated 22.04.2025 registered for offences punishable under Sections 316(2), 318(4) of BNS registered at Police Station Sanaur, District Patiala; the petitioner has preferred this petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail.

2. On 09.05.2025, the following order was passed:-

"1. The present petition has been filed under Section 482 of the 'Bharatiya Nagarik Suraksha Sanhita', 2023 for grant of anticipatory bail to the petitioner in case FIR No. 36 dated, 22.04.2025, registered at Police Station Sanaur, District Patiala, under Sections 316 (2) and 318 (4) of the 'Bharatiya Nagarik Suraksha Sanhita', 2023.

2. Learned counsel for the petitioner contends that the matter is civil in nature but giving it a colour of criminal case. The present FIR has been registered in order to recover the alleged cost of

some construction allegedly made by the complainant on the land of the father of the co-accused of the petitioner.

3. Notice of motion for 15.07.2025.

4. In the meanwhile, in the event of the arrest of the petitioner, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.”

3. Learned State counsel (on instructions) submits that the petitioner has joined investigation. He further submits that a cancellation report qua the FIR in question has been prepared on 30.06.2025 & shall be presented before the competent Court within 30 days from today.

4. Learned counsel for the complainant has also vociferously opposed the grant of anticipatory bail to the petitioner by submitting that allegations made against the petitioner are serious in nature and in case the petitioner is granted the concession of anticipatory bail, the petitioner is likely to influence the investigation and also the witnesses.

5. Having heard learned counsel for the rival parties and after perusing the record, especially keeping in view the factum that a cancellation report having been prepared, which is pending approval by the competent Court, this Court deems it appropriate to confirm the interim bail.

6. *Ergo*, in view of the entirety of the facts and circumstances of the case, the order dated 09.05.2025 granting interim anticipatory bail to the petitioner is hereby made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

10. Pending application(s), if any, shall also stand disposed off.

15.07.2025

Naveen

(SUMEET GOEL)
JUDGE

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