



219 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-33922-2025  
Date of Decision:09.07.2025

Harpreet Singh ...Petitioner  
vs.  
State of Punjab ...Respondent

**Coram :** Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Charnjit Singh Bahia, Advocate  
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

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**N.S.Shekhawat J. (Oral)**

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to him in case FIR No.80 dated 01.05.2025 registered under Sections 303, 112, 3(5) of BNS, at Police Station Sadar Bathinda, District Bathinda.
2. The FIR in the present case was registered on the basis of the statement made by Gursewak Singh son of Gurcharan Singh and the same has been reproduced below:-

*“Statement of Gursewak Singh son of Gurcharan Singh Security Supervisor at B4S Solutions Pvt. Ltd. Company, Phase -08 Mohali, resident of Village Taranji Khera, PS-Chhajali, Tehsil Sunam, District Sangrur, mobile no. 84276-60762 stated that I am resident of above said address and doing job as a Security Supervisor at B4S Solutions Pvt. Ltd. Company, Phase-08 Mohali. The company assigned me the duty of supervising the towers of Indus Towers company District Mansa. Apart from this, also temporarily supervise the towers of the company in District Bathinda. The*

*towers installed in village Jassi Pau Wali also come under our company. Yesterday on 30.04.2025, I was going in swift car bearing No. PB-03BG-2620 to village Jassi Pau Wali for checking of Tower installed in village and on the intervening night of 30.04.2025/01.05.2025 at about 1:00AM /1:30 AM, when I was going from bus stand of Village Katar Singh Wala towards the link road Jassi Pau Wali towers, I saw in the head light of his car that two persons were picking something from the tower site and keeping the same in Alto Car bearing no. PB-03-AR-9996 and on seeing me, they ran away from the spot along with car. On checking of Tower bearing ID No. IN-1968852, it was found that RRU Card of Tower was missing. The complainant further got recorded that on enquiry, I came to know that theft was committed by Lovedeep Singh Labhu son of Ajaib Singh R/o Village Mehta and Gaggi Singh S/o Nirmal Singh R/o Village Malkana, District Bathinda. Those I can recognize when they appear. So, a legal action be taken against them. Statement has written, read it, correct. Sd/- Gursewak Singh attested by Dharmvir Sharma ASI, Police Post Industrial Area, Bathinda PS Sadar Bathinda, dated 01/05/2025.”*

3. Learned counsel for the petitioner contends that in the present case, it appears that the complainant was not present at the place of occurrence and had named the petitioner and his co-accused only on the basis of some alleged inquiry, conducted at his own level. Even the petitioner had not committed the alleged theft. Further, it has been alleged that the RRU Card from the tower was stolen by certain accused, however, the said RRU Card has been recovered from Lovedeep Singh @ Labhu, co-accused in the present case. Learned counsel further contends that in the present case, the custodial interrogation of the petitioner may not be required.

4. On the other hand, reply has been filed by way of an affidavit of Deputy Superintendent of Police, Sub-Division Rural, District Bathinda in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner along with his co-accused had committed theft at the tower and the petitioner does not deserve the concession of bail by this Court.

5. I have heard learned counsel for the parties and perused the record.

6. In the present case, admittedly, the RRU Card, which was allegedly stolen, has been recovered by the police in the present case. Moreover, the prosecution is yet to collect evidence with regard to involvement of the petitioner in the crime.

7. At this stage, without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of the BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482(2) of the BNSS.

(N.S.SHEKHAWAT)  
JUDGE

09.07.2025  
hemlata

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