

State of Punjab Versus Sukhwinder Singh

CIS no. BA 5450-2026

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Present : Sh.Ranveer Singh Advocate counsel for applicant
Sh.Rupinder Singh Addl.P.P for the State

ORDER

1. Heard on Blanket anticipatory bail application filed by Applicant Sukhwinder Singh son of Amrik Singh. Report from concerned has been received that one complaint was filed by Reena Devi and Anil Kumar against their son Sahil for theft of gold ornaments. During investigation Sahil disclosed that he had sold gold ornaments to applicant Sukhwinder Singh care of Sai Jewellers, Kawality Chowk, Shimlapuri, Ludhiana on lesser rate. It has been reported that Parwana was sent to applicant to join investigation. But he has not join the investigation. Thus complaint is pending against applicant.

2. Learned counsel for Applicant argued that on basis of inquiry report Applicant fear his arrest. Hon'ble Supreme Court in **Arnesh Kumar vs. State of Bihar (SC): 2014(8) SCC 273** has held that police officer not to automatically arrest a person where a case is

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registered for offence punishable with imprisonment for a term which may be less than seven years or which may extend to seven years and that arrest be made only after investigation is carried out with regard to genuineness of allegation and No arrest be made because the offence is non-bailable and cognizable. Police officer has been directed to prepare a check list as per Section 35(3) BNSS and to fill check list with reason and material which has necessitated arrest. Said check list is to be forwarded/produced accused before Magistrate and Magistrate has been further directed that before authorising detention of accused Magistrate is to peruse report furnished by police and only after such satisfaction Magistrate to authorize detention. Hon'ble Supreme Court further held that notice of appearance in terms of Section 41, 41(A) Cr.PC now Section 35 BNSS is to be served upon accused within two weeks from the date of lodging of FIR for offence punishable with imprisonment less than seven years or upto seven years and said period is extendable by concerned Superintendent of Police of District and the accused will appear before police officer and is required to comply with terms of said notice. In view of same in

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case FIR is lodged against Applicant for offence punishable with imprisonment less than 7 years or upto 7 years then he shall not be arrested for a period of **Three Days** from the date of service of said notice. It is made clear that said concession will apply only to FIR lodged for offences punishable with imprisonment for less than 7 years or upto 7 years. This order will remain in force for a period of three months and will come to end on expiry of three months from today. Applicant Sukhwinder Singh will join the investigation as and when called by IO. In case Applicant does not cooperate with Investigating Officer then it will be always open to Investigating Officer to move application before this court for cancellation of concession being permitted to Applicant.

3. Accordingly present blanket bail application stands disposed off. Copy of the order be sent to the concerned police station through Naib Court. File be consigned to the record room.

Pronounced in open court
Date of order: 17.07.2026

Om Parkash, Stenographer G-I

Jagdeep Sood,
Additional Sessions Judge Ludhiana.
(UID No.PB-00169)

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Arguments heard. Vide my separate detailed order of even
date present bail application stands disposed off as stated therein.
Police record be returned. Present file be consigned to record room.

Pronounced in open court

Date of order: 17.07.2026

Om Parkash, Stenographer G-I

**Jagdeep Sood,
Additional Sessions Judge Ludhiana.
(UID No.PB-00169)**