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

**CRM-M-44246-2024 (O&M)
Date of decision : 28.10.2024**

Shamsher

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vineet Kumar Jakhar, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

None for respondent No.2, despite service.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (*for short, 'the BNSS'*) has been filed for grant of pre-arrest bail to the petitioner in FIR No.0448 dated 28.07.2024, under Section 24 of the Arms Act and Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 (*for short, 'the BNS'*), registered at Police Station City Hansi, District Hansi, Haryana.

2. Allegations are that petitioner along with other co-accused fired gunshots with an intention to kill respondent No.2.

3. Status report filed by way of affidavit dated 21.10.2024 of Mr. Sanjay Kumar, HPS, Deputy Superintendent of Police, H.Q. Hansi, is taken on record. Copy thereof supplied to other side.

Registry to do the needful.



4. Contends that this Court granted interim bail to petitioner on 06.09.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. Heard learned counsel for the parties and perused the paper-book.

7. It is an admitted position that petitioner was granted interim bail by this Court on 06.09.2024 and relevant part of the same is recapitulated as under:-

“Notice of motion.

On asking of the Court, Mr. Kiran Pal Singh, AAG, Haryana accepts notice on behalf of respondent No.1 and seeks time to have instructions and/or file written response in the matter.

Notice to respondent No.2 in due course.

Posted for 28.10.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”



8. It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.
9. In view of above, interim order dated 06.09.2024 is made absolute subject to the conditions as envisaged under Section 482(2) of the BNSS.
10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
11. Above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
12. Disposed off accordingly.
13. Pending application(s), if any, shall also stand disposed off.

28.10.2024

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**(MAHABIR SINGH SINDHU)
JUDGE**

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