



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

**CRM-M-741-2025 (O&M)
Date of decision: 05.03.2025**

Mohd. Irfan

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. M.S.Sidhu, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab for respondent No.1.

Ms. Komal Balain, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) read with Section 438 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for grant of pre-arrest bail to the petitioner in FIR No.021 dated 06.04.2023 (P-1), under Sections 380, 457, 342, 411 read with Section 34 of the Indian Penal Code, 1860 (*for short 'IPC'*), registered at Police Station Pojewal, District Shaheed Bhagat Singh Nagar (Nawanshahr).

(2) Learned Counsel contends that matter has been amicably settled between the parties i.e petitioner as well as *de facto* complainant. Further

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contends that petitioner was granted interim protection by this Court, vide order dated 30.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(3) The above factual position is not disputed by learned State Counsel, on instructions from ASI Balwinder Singh and submits that as on today, custodial interrogation of the petitioner is not required.

(4) Learned Counsel for respondent/*de facto* complainant also acknowledged the factum of compromise.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) It transpires that petitioner was granted interim protection by this Court, vide order dated 30.01.2025 and the order reads as under:-

“Contends that matter has been amicably settled between the parties i.e petitioner as well as de facto complainant.

Learned State counsel seeks time to verify the above factual position.

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In the meanwhile, petitioner shall join investigation before the Investigating Officer, but he be not arrested till the next date of hearing.”

(7) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

(8) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition

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is allowed; interim order dated 30.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(9) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(10) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(11) It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

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

5th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>