



202-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-216-2025 (O&M)
Date of decision : 11.02.2025

Harinder Singh @ Harwinder Singh and another ...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Anmol Jeevan Singh Gill, Advocate,
for the petitioners.

Ms. Manjot Kaur, A.A.G., Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been filed for grant of pre-arrest bail to the petitioners in FIR No.0125 dated 21.11.2024, under Sections 333, 351(2), 191(3) & 190 of the Bharatiya Nyaya Sanhita, 2023 (*for short, 'the BNS'*), registered at Police Station Raja Sansi, District Amritsar Rural.

(2) Status report filed by way of affidavit dated 10.02.2025, of Mr. Inderjit Singh, PPS, Deputy Superintendent of Police, Sub-Division, Rajasansi, Amritsar Rural, on behalf of the respondent-State is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

2025.PHHC.020227



(3) Learned Counsel contends that petitioners were granted interim bail by this Court, vide order dated 08.01.2025 and in pursuance thereof, they have already joined the investigation; hence, their custodial interrogation is not required.

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

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

(6) It transpires that petitioners were granted interim bail by this Court, vide order dated 08.01.2025 and the order reads as under:-

“Contends that there is delay of more than ten days in registration of the FIR and the co-accused have already been granted protection of interim bail by co-ordinate Bench vide order dated 31.12.2024 (Annexure P-4) passed in CRM-M-65591-2024.

Notice of motion.

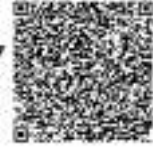
At this stage, Mr. Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of the respondent and seeks time to have instructions and/or to file written response in the matter.

Posted for 11.02.2025.

To be heard along with CRM-M No.65591-2024.

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

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(7) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioners have joined investigation and their 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 petitioners. Consequently, present petition is allowed; interim order dated 08.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) BNSS.

(9) It is also made clear that petitioners 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 petitioners, 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.

11.02.2025*atulsethi***(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No