



209

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

**CRM-M-891-2025 (O&M)
Date of decision : 25.02.2025**

Satpal Singh

...Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Sidhu, Advocate, for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

None for respondent No.2.

MAHABIR SINGH SINDHU, J.

Second 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 petitioner in FIR No.87 dated 02.04.2024, under Sections 147, 149, 323, 324 and 452 of Indian Penal Code, 1860 (for short 'IPC'), (Section 326 read with Section 34 IPC and Section 25 of the Arms Act, 1959, were added and Sections 452, 147 and 149 IPC were deleted later on) registered at Police Station Ding, District Sirsa.

(2) Learned counsel contends that petitioner was granted interim bail by the Co-ordinate Bench, vide order dated 15.01.2025 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 Assistant Sub Inspector Rajender, and submits that as on today, custodial interrogation of the petitioner is not required.

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

(5) It transpires that petitioner was granted interim bail by the Co-ordinate Bench, vide order dated 15.01.2025 and the order reads as under:-

“Apprehending arrest the petitioner has filed this second petition under Section 482 of BNSS for grant of anticipatory bail in case bearing FIR No.87 dated 02.04.2024, registered under Sections 147, 149, 323, 324, 452 IPC (Sections 326, 34 of IPC and Section 25 of the arms Act added later on and Sections 452, 147 and 149 IPC were deleted), registered at Police Station Ding, District Sirsa.

2. At the very outset, learned counsel for the petitioner submits that petitioner has filed this second petition due to change of circumstances as the matter has been compromised between the parties. He has placed reliance upon compromise deed dated 01.01.2025 (Annexure P-3). He further submits that petitioners are ready to join investigation and cooperate.

3. Notice of motion.

4. Ms. Mahima Yashpal, DAG, Haryana waives service of notice on behalf of the respondent-State and Mr. Vinay Kumar, Advocate for Mr. Bhupinder Kumar, Advocate has put in appearance on behalf of respondent No.2 and has filed his Vakalatnama in Court which is taken on record. He has admitted the factum of compromise effected between the parties. Learned State counsel on instructions from SI Rajender, submits that grievous injury is not attributed to any specific accused.

5. List on 25.02.2025.

6. In the meantime, petitioner shall join investigation before the Investigating Agency/Officer. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C.:-



1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

3) That the petitioner shall not leave India without prior permission of the Court.”

(6) 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.

(7) In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 15.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

(10) 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.

25.02.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No