



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M No.1808 of 2025
Date of decision: 24.02.2025

AKASHDEEP SINGH ALIAS AKASH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ramesh Shama, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioner in case FIR No.321 dated 23.12.2024, registered under Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') and Section 25 of the Arms Act, 1959, at Police Station City Kapurthala, District Kapurthala.

2. Vide order dated 15.01.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 15.01.2025, passed by this Court, reads as under:

“Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case arising out of FIR No.321 dated 23.12.2024, under Sections 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 25 of Arms Act registered at Police Station City Kapurthala, District Kapurthala.



The aforementioned FIR has been registered on the basis of complaint lodged by ASI Rajbinder Singh alleging that on 23.12.2024, when three youths riding on a motorcycle were apprehended by a police party, two of them had managed to flee. On conducting search from third one, one pistol was recovered. On interrogation, he disclosed his name and particulars and also the name of the present petitioner. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which was dismissed by learned Sessions Judge, Kapurthala vide order dated 10.01.2025.

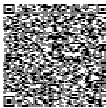
It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused. No recovery is to be effected from him. His custodial interrogation is not required. He is ready to join the investigation. Therefore, it is urged that he deserves to be extended pre arrest bail.

Notice of motion.

Learned State counsel who has advance notice of the petition seeks time to file status report.

Adjourned to 24.02.2025.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall



release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita (for short BNSS), 2023.”

3. Status report filed on behalf of respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 21.01.2025 and he is not required for custodial interrogation.
5. Keeping in view the nature of the allegations, this Court is of the considered opinion that the pre incarceration of the petitioner is not required. Accordingly, the present petition is allowed and the order dated 15.01.2025, granting interim bail to the petitioner, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

24.02.2025
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No