



207

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

**CRM-M-2078-2025 (O&M)
Date of decision : 08.04.2025**

Pawan Kumar

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aditya Sanghi, Advocate,
Mr. Himanshu Garg, Advocate and
Mr. Saurav Sharma, Advocate for the petitioner.

Mr. Ashok Sehrawat, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present 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. 520 dated
10.11.2024, under Sections 406 and 420 of Indian Penal Code, 1860
(for short 'IPC'), registered at Police Station Civil Lines Sirsa, District
Sirsa.

(2) Allegations are that the petitioner along with co-accused
has duped the *de facto* complainant to the tune of Rs.30 lakh on the
pretext of sending him abroad.

(3) Status report by way of affidavit dated 05.03.2025 of
Adarshdeep Singh, HPS, Deputy Superintendent of Police, Sirsa,
already filed on behalf of respondent, is taken on record. Copy thereof
supplied to the opposite side. Registry to do the needful.



(4) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 23.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(5) Learned State counsel, on instructions from the quarter concerned, acknowledged the above factual position, and submits that as on today, custodial interrogation of the petitioner is not required.

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

(7) It transpires that petitioner was granted interim bail by this Court, vide order dated 23.01.2025 and the order reads as under:-

“Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) for grant of pre-arrest bail to the petitioner in FIR No. 520 dated 10.11.2024, under Sections 406 and 420 of Indian Penal Code, 1860 (for short ‘IPC’), registered at Police Station Civil Lines Sirsa, District Sirsa.

It transpires from bare reading of the FIR that complainant-Amit Kumar himself was working with “British Overseas”; thus, prima facie, no offence under Section 406 and/or 420 of IPC as made out against the petitioner.

Learned State counsel seeks time to file short affidavit regarding the status of investigation qua other co-accused.

Posted for 06.03.2025.



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

(8) 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.

(9) 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 23.01.2025 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) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

(12) 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.

08.04.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No