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

**CRM-M-1897-2025 (O&M)
Date of decision : 03.03.2025**

Fardeen Khan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Satish Kumar Rana, Advocate, for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana assisted by
Assistant Sub Inspector Hari Ram.

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.0143 dated 21.06.2024, under Sections 323, 506 and 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC'), (Sections 341 and 120-B IPC were added later on), registered at Police Station Jagadhri Sadar, District Yamuna Nagar.

(2) Reply filed by way of affidavit dated 03.03.2025 of Kanwaljeet Singh, HPS, Deputy Superintendent of Police, Yamuna Nagar, on behalf of respondent-State, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.



(3) Allegations are that the petitioner along with co-accused caused injuries to the complainant with *danda* and *binda*.

(4) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 15.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(5) The above factual position is not disputed by learned State Counsel, on instructions, 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 15.01.2025 and the order reads as under:-

“Contends, inter alia, that petitioner has been nominated on the basis of disclosure made by co-accused Mohammad Talib. Notice of motion.

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

Posted for 03.03.2025.

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



- (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 15.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) 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.

03.03.2025

d.gulati

Whether speaking / reasoned :

Whether Reportable :

(MAHABIR SINGH SINDHU)
JUDGE

Yes No

Yes No