



CRM-M-2861-2025

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

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**CRM-M-2861-2025 (O&M)
Date of Decision: 02.04.2025**

Goldy Kumar

.....Petitioner

Versus

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arush Dogra, Advocate for
Mr. Shivam Joshi, Advocate for the petitioner.
Mr. S.S.Chahal, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

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. 16 dated 24.01.2022, under Sections 324, 341 and 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'IPC')[Section 326 IPC added later on vide DDR No.29 dated 23.05.2023], registered at Police Station Mahilpur, District Hoshiarpur.

2. Allegations are that petitioner along with other co-accused formed an unlawful assembly and in prosecution of common object of the said assembly, caused multiple serious injuries to *de facto* complainant-Amar with their respective weapons.

3. Contends that petitioner was granted interim bail by this Court, vide order dated 18.01.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



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4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that his custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by this Court, vide order dated 18.01.2025 and the order reads as under:-

“Contends that initially, the FIR was registered under Sections 324, 341 & 148 read with Section 149 IPC; however, after a period of about 16 months, offence under Section 326 IPC has been added vide DDR No.29 dated 23.05.2023. Also contends that petitioner is ready to join the investigation, but he be granted interim protection.

Notice of motion.

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

Posted for 18.02.2025.

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

7. 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.

8. 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 18.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of BNSS.

9. It is also made clear that petitioner 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.



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11. 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.

02.04.2025 **(MAHABIR SINGH SINDHU)**
Rajeev (rvs) **JUDGE**

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No