



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

CRM-M-3179-2025 (O&M)
Date of decision: 05.03.2025

Rati Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Sachin Bhardwaj, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) read with Section 438 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C.'*) for grant of pre-arrest bail to the petitioner in FIR No.0218 dated 14.12.2024 (P-1), under Section 21(1) of the Mines and Minerals (Regulations and Development) Act, 1957; Section 4 of the Explosive Substances Act, 1908; Section 223(a) of the Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*), registered at Police Station Nangal Chaudhari, District Mahendergarh.

(2) Learned Counsel contends that petitioner was granted interim protection by this Bench, vide order dated 30.01.2025 and in pursuance

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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 ASI Jasbir Singh.

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

(5) It transpires that petitioner was granted interim protection by this Court, vide order dated 30.01.2025 and the order reads as under:-

“Status report by way of affidavit dated 29.01.2025 of Mr. Hardeep Singh, HPS, Deputy Superintendent of Police, (HQ) Narnaul, District Mahendergarh on behalf of respondent has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

Learned State counsel seeks time to place on record some documents.

Posted for 05.03.2025.

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

(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

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is allowed; interim order dated 30.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the 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 petitioners, 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.

5th March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>