



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

**CRM-M-3877-2025 (O&M)
Date of decision : 08.04.2025**

Abhishek Kumar

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Lakshay Bector, Advocate, for the petitioner.

Mr. S.S. Chahal, AAG, Punjab.

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.4 dated 21.01.2024, under Sections 323, 341, 435, 436, 427, 506 and 148 read with Section 149 of Indian Penal Code, 1860, registered at Police Station Sudhar, District Ludhiana.

(2) Allegations are that the petitioner along with co-accused formed an unlawful assembly and in prosecution of their common object of that unlawful assembly caused injuries to the *de facto* complainant with their respective weapons; caused damage to motorcycle of complainant as well as his friend Amandeep Singh @ Amma and also criminally intimidated with dire consequences.

(3) Status report by way of affidavit dated 05.03.2025 of Varinder Singh Khosa, PPS, Deputy Superintendent of Police, Dakha, District Ludhiana (Rural) 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:-

“Contends that petitioner has not been named in the FIR and there is delay of 10 days in lodging the FIR. Also contends that co-accused have already been granted interim protection by this Court.

Notice of motion.

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

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 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.

08.04.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :

Yes No

Whether Reportable :

Yes No