



CRM-M-4177-2025

1

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

207

**CRM-M-4177-2025 (O&M)
Date of Decision: 11.03.2025**

Harender

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishal Singh, Advocate for
Mr. Baljeet Beniwal, Advocate for the petitioner.
Mr. Neeraj Sheoran, DAG, Haryana.

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.202 dated 06.07.2023 (P-1), under Sections 323, 326, 341, 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'IPC') [Sections 148 and 149 were deleted & Sections 326 read with Section 34 of IPC were added later on], registered at Police Station Hassanpur, District Palwal.

2. Status report by way of affidavit dated 10.03.2025 of Mr. Kuldeep Singh, HPS, Deputy Superintendent of Police, Hodal 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.

3. Allegations are that petitioner along with other co-accused in furtherance of their common intention inflicted injuries on the person of the



son of *de facto* complainant-Kusum with knives and swords with intention to kill him.

4. Contends that petitioner was granted interim bail by this Court, vide order dated 27.01.2025 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 from ASI Sunil Kumar and submits that his custodial interrogation 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 27.01.2025 and the order reads as under:-

“Contends, inter alia, that from bare perusal of FIR, no specific injury has been attributed to the petitioner.

Notice of motion.

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

Posted for 11.03.2025.

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 27.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of 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.

11.03.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No