



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

202

**CRM-M- 6494-2025(O&M)
Date of Decision: 14.05.2025**

Harjinder Singh and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.L. Chander Shekhar, Advocate for the petitioners.
Mr. Kunwarbir Singh, 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. 143 dated 06.11.2024, under Sections 329(3), 324(4), 324(5), 191(3), 305 read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Sultanwind, Amritsar, District Amritsar.

2. Allegations are that petitioners along with other accused formed an unlawful assembly and in prosecution of their common object trespassed into the property of *de facto* complainant-Amrik Singh; caused damage to the articles lying therein and also committed theft of articles from the property of the complainant.



3. Contends that petitioners were granted interim bail by this Court on 04.02.2025 and in pursuance thereof, they have already joined investigation; hence, their custodial interrogation are not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from SI-Sulakhan Singh and submits that their custodial interrogation are not required at this stage.

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

6. It transpires that petitioners were granted interim protection by this Court on 04.02.2025 and the order reads as under:-

“Contends, inter alia, that civil suit is already pending between the parties (P-2).

Notice of motion.

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

Posted for 20.03.2025.

In the meanwhile, petitioners shall join investigation before the Investigating Officer, but they 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, petitioners have joined investigation and as on today, their custodial interrogation are not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners. Consequently, present



petition is allowed; interim order dated 04.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

9. It is also made clear that petitioners 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.

11. 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.

14.05.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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