



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

201

CRM-M- 7367-2025(O&M)
Date of Decision: 10.07.2025

Santosh Kumar and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Birinder Pal, Advocate for the petitioners.

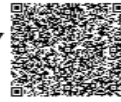
Mr. Mohit Kapoor, Sr. DAG, Punjab.

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 petitioners in FIR No. 011 dated 17.01.2025, under Sections 132, 118(2), 115(2), 126(2), 62, 351(3), 191(3), 221 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Kotwali, District Patiala.

2. Allegations are that petitioners obstructed the public servants while they were performing official duties of execution of warrants issued by learned Court, gave beatings with brick bats and also sprinkled spirit in their eyes.

3. Contends that petitioners were granted interim bail by this Court on 20.02.2025 and in pursuance thereof, they have already joined investigation; hence, their custodial interrogation is not required.



4. The above factual position is not disputed by learned State Counsel and on instructions submits that their custodial interrogation is 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 20.02.2025 and the order reads as under:-

“Reply filed by way of affidavit dated 10.02.2025 of Satnam Singh, PPS, Deputy Superintendent of Police City-1, Patiala, on behalf of respondent-State, is taken on record. Copy thereof supplied to the opposite side.

Registry to do the needful.

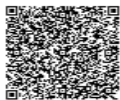
Contends, inter alia that petitioners were neither present at the time of alleged occurrence; nor any MLR has been produced regarding the alleged injuries.

Posted for 09.04.2025.

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 is 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 20.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of 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 further 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.

10.07.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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