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

**CRM-M-7838-2025 (O&M)
Date of decision : 01.05.2025**

Harbhajan Lal

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Amit Shukla, DAG, Haryana.

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.63 dated 18.06.2024, under Sections 279, 304-A and 427 of Indian Penal Code, 1860 (for short 'IPC') (Section 304-A IPC was deleted and Section 304 IPC was added later on), registered at Police Station Mehtiana, District Hoshiarpur.

(2) Allegations are that petitioner while driving Innova car bearing registration No.PB08-CK-0910 in a rash or negligent manner hit his car with the motorcycle of Amarjit Singh Chauhan (brother of *de facto* complainant Ishwar Singh) due to which Amarjit Singh Chauhan and his son Namanpreet Singh @ Sahil fell down; received multiple injuries on their person and their motorcycle also got damaged.

(3) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 11.02.2025 and in



pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(4) 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.

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

(6) It transpires that petitioner was granted interim bail by this Court, vide order dated 11.02.2025 and the order reads as under:-

“Contends, inter alia, that petitioner is about 70 years of age and he has been implicated merely on account of being the registered owner of vehicle in question.

Notice of motion.

Ms.Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or to file written response in the matter.

Posted for 12.03.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer, but he 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, petitioner has joined investigation and his 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 petitioner. Consequently, present petition is allowed; interim order dated 11.02.2025 is made absolute



subject to the conditions as envisaged under Section 482(2) of the BNSS.

(9) It is also made clear that petitioner 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 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.

01.05.2025
d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No