



CRM-M-9135-2025

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

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**CRM-M-9135-2025 (O&M)
Date of Decision: 03.04.2025**

Khushwant Rai

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Dheeraj Narula, Advocate for the petitioner.

Mr. S.S.Chahal, 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.40 dated 03.05.2024 (P-1), under Sections 177, 420, 465, 466, 468, 471 and 120-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Phase-8, SAS Nagar.

2. Status report by way of affidavit dated 02.04.2025 of Mr. Harsimran Singh Bal, PPS, Deputy Superintendent of Police (City-II), District SAS Nagar 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 in connivance with co-accused got prepared fake and fraud documents in order to get registration certificate of BAMS for co-accused-Harpreet Kaur.



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4. Contends that petitioner was granted interim bail by this Court, vide order dated 18.02.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

5. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned 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 18.02.2025 and the order reads as under:-

“Contends, inter alia, that there is delay of two years in registration of present FIR.

Notice of motion.

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

Posted for 03.04.2025.

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 18.02.2025 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.



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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.

03.04.2025 (MAHABIR SINGH SINDHU)
Rajeev (rvs) **JUDGE**

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