



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

206

CRM-M- 10102-2025(O&M)
Date of Decision: 05.05.2025

Pankaj Sharma

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Kumar, Advocate for
Mr. G.C. Shahpuri, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of pre-arrest bail to the petitioner in FIR No. 19 dated 30.01.2024, under Sections 25, 29 of Arms Act, registered at Police Station Raipur Rani, District Panchkula.

2. Allegations are that petitioner sold country made pistol 0.315 bore to co-accused, namely, Keshav.

3. Contends that petitioner was granted interim bail by this Court on 21.02.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.



4. The above factual position is not disputed by learned State Counsel and submits that his custodial interrogation is not required at this stage.
5. Heard learned counsel for the parties and perused the paper-book.
6. It transpires that petitioner was granted interim protection by this Court on 21.02.2025 and the order reads as under:-

“Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No. 19 dated 30.01.2024, under Sections 25, 29 of Arms Act, 1959, registered at Police Station Raipur Rani, District Panchkula.

Notice of motion.

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

Posted for 09.04.2025.

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 as on today, 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 21.02.2025 is made absolute subject to the conditions as envisaged under Section 438(2) 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.

05.05.2025

Harish Kumar

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No