

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

**CRM-M-11726-2025 (O&M)
Date of decision: 28.04.2025**

Rajinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Raghav Soni, Advocate for the petitioner.

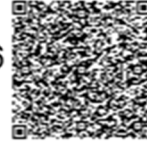
Mr. T.P.S.Walia, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No.324 dated 28.12.2024 (P-1), under Sections 115(2), 118(2), 324(4), 351(2), 191(3) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (*for short* 'BNS'), registered at Police Station Gharinda, District Amritsar Rural.

(2) Allegations are that petitioner, along with other co-accused, formed an unlawful assembly and in prosecution of their common object, inflicted injuries on the person of *de facto* complainant-Amandeep Singh with their respective weapons and also criminally intimidated him.

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(3) Learned Counsel contend that petitioner was granted interim protection by this Court, vide order dated 03.03.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(4) The above factual position is not disputed by learned State Counsel, on instructions from the police official concerned.

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

(6) It transpires that petitioner was granted interim protection by this Court, vide order dated 03.03.2025 and the same reads as under:-

“Contends, inter alia, that injury attributed to the petitioner is simple in nature.

Notice of motion.

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

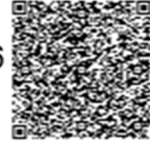
Posted for 28.04.2025.

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 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

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is allowed; interim order dated 03.03.2025 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.

28th April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>