

207 (1st case)

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

CRM-M-13326-2025 (O&M)

Date of decision : 21.05.2025

Sewak Singh @ Gursewak Singh

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mohit Kumar, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Second 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.167 dated 24.11.2024, under Sections 109, 115(2), 126(2), 351(2), 191(3) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Moonak, District Sangrur.

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

(3). Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 18.03.2025 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 18.03.2025 and the order reads as under:-

“Status report by way of affidavit dated 17.03.2025 of Mr. Parminder Singh, PPS, Deputy Superintendent of Police, Sub Division Moonak 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.

Contends, inter alia, that matter has been amicably settled between the parties i.e petitioner as well as complainant.

The above factual position is duly acknowledged by learned counsel for the complainant.

Learned State counsel seeks time to have instructions in the matter.

Posted for 21.05.2025.

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 18.03.2025 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.

21.05.2025

d.gulati

**(MAHABIR SINGH SINDHU)
JUDGE**

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