

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

214/2

CRM-M- 13045-2025(O&M)**Date of Decision: 07.04.2025**

Samay Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Devender Kumar, Advocate for the petitioner.Mr. Neeraj Sheoran, DAG, Haryana assisted by
ASI-Vineet.

Mr. Imtiyaz Hussain, Advocate for the complainant.

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. 348 dated 20.10.2024, under Sections 115 (2), 118(1), 351(2), 351(3), 191 (3) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Sections 117(2), 117(3), 118(2), 109 of BNS added later on), registered at Police Station Gadpuri, District Palwal.

2. Allegations are that petitioner alongwith co-accused in furtherance of their common object attacked the complainant party with axe, iron rod and iron pipe and inflicted injuries to them.

3. Status report dated 05.04.2025 by way of affidavit of Shri Narender Singh, HPS, Deputy Superintendent of Police, Sadar Palwal, District Palwal has been filed, which is taken on record. Copy supplied to the other sides. Registry to tag the same at appropriate place.



4. Contends that it is a case of version and cross-version; reference in this regard has been made to MLR dated 20.10.2024 (P-2). Further contends that petitioner was granted interim bail by this Court on 17.03.2025 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 and submits that his custodial interrogation is not required “at this stage”.

6. On the other hand, learned counsel for the complainant vehemently opposed the prayer while submitting that allegations against the petitioner are serious in nature; hence, he does not deserve the concession of pre-arrest bail.

7. Heard learned counsel for the parties and perused the paper-book.

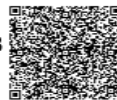
8. It transpires that petitioner was granted interim bail by this Court on 17.03.2025 and the order reads as under:-

“Learned State counsel seeks time to have instructions about the registration of cross-version at the instance of petitioner on the basis of MLR dated 20.10.2024 (P-2).

Posted for 07.04.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.

To be heard along with CRM-M-10315-2025.”



9. It is duly acknowledged by learned State Counsel that in pursuance of order dated 17.03.2025, petitioner has joined investigation and his custodial interrogation is not required.

10. Although learned counsel for complainant has opposed the prayer; but contention to that is liable to be rejected for the reason that this is a case of version and cross-version. Apart that State is not asking for custodial interrogation of the petitioner.

11. 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 17.03.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

12. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

13. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

14. 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.

07.04.2025

Harish Kumar

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No