



208 (1st case)

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

CRM-M-13343-2025 (O&M)

Date of decision : 21.05.2025

Mohinder Singh @ Mindu and others

..Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajeev Dev Sharma, Advocate for the petitioners.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Joginder Siwach, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present 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.0061 dated 20.10.2024, under Sections 109, 115(2), 118(1), 118(2), 126(2), 191(3) read with Section 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Narot Jaimal Singh, Pathankot, District Pathankot.

(2) Allegations are that petitioners, armed with their respective weapons, formed an unlawful assembly and in furtherance of common object of that unlawful assembly inflicted injuries on the person of *de facto* complainant and also criminally intimidated him.

(3). Learned counsel contends that matter has been amicably settled between the parties i.e. petitioners as well as respondent No.2.



Further contends that petitioners were granted interim bail by this Court, vide order dated 10.03.2025 and in pursuance thereof, they have already joined the investigation; hence, their custodial interrogation is not required.

(4) Learned counsel for respondent No.2, on instructions, acknowledged the factum of compromise.

(5) Learned State counsel, on instructions from the quarter concerned, submits that she is not aware about the compromise but she acknowledged that the petitioners have joined the investigation, and submits that as on today, custodial interrogation of the petitioners is not required.

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

(8) It transpires that petitioners were granted interim bail by this Court, vide order dated 10.03.2025 and relevant part of the order reads as under:-

“Contends that matter has been amicable settlement between the parties i.e petitioner as well as respondent No.2.

Notice of motion.

Mr. Kunwarbir Singh, learned AAG, Punjab, accepts notice on behalf of respondent No. 1; seeks time to have instructions; and/or to file written response in the matter.

Mr. Kuldeep Singh, Advocate for Mr. Joginder Siwach, Advocate accepts notice on behalf of respondent No. 2 and acknowledged the factum of compromise.



Posted for 29.04.2025.

In the meanwhile, petitioners shall join investigation before the Investigating Officer; but they 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, petitioners have joined investigation and their 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 petitioners.

(10) Consequently, present petition is allowed; interim order dated 10.03.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of the BNSS.

(11) It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

(13) It is also clarified that in case of any recurrence on the part of petitioners, 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

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