



206(2nd case)

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

CRM-M-15866-2025 (O&M)

Date of decision : 15.05.2025

Kesar Singh

..Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Madhu Bala, Advocate for
Mr. J.S. Moudgill, Advocate for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

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.0042 dated 02.03.2025, under Sections 316(2), 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023, registered at Police Station Rajpura, District Patiala

(2) Allegations are that petitioner along with co-accused in connivance with each other had duped the *de facto* complainant to the tune of Rs.15,00,000/- on the pretext of selling land.

(3) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 09.04.2025 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 09.04.2025 and the relevant part of order reads as under:-

“Contends, inter alia, that petitioner has not received any money; nor he is the beneficiary of alleged transaction(s).

Notice of motion.

Mr. Kunwarbir Singh, 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 15.05.2025.

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-14708-2025.”

(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 09.04.2025 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.

15.05.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

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