



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

213

CRM-M- 20078-2025(O&M)
Date of Decision: 15.05.2025

Ravi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. J.S. Sekhon, Advocate for the petitioner.

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

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 88 dated 09.09.2024, under Sections 303(2) and 317(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Banur, District Patiala.

2. Allegations are that petitioner along with other accused persons in furtherance of common intention committed theft of copper from the transformers as well as copper from the motors installed in the fields.

3. Status report dated 14.05.2025 by way of affidavit of Mr. Varun Sharma, IPS, Senior Superintendent of Police, has been filed on



behalf of respondent, which is taken on record. Copy supplied to the other side. Registry to tag the same at appropriate place.

4. Contends that petitioner was granted interim bail by this Court on 05.05.2025 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 on instructions from quarter concerned submits that his custodial interrogation is not required at this stage.

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

7. It transpires that petitioner was granted interim protection by this Court on 05.05.2025 and the order reads as under:-

“Contends, inter alia, that although it is alleged that petitioner is involved in committing theft and removing copper wires from the transformer; but as a matter of fact no other criminal case is pending against him.

Learned State counsel, after obtaining instructions, is also not bale to dispute the above factual position.

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.

Senior Superintendent of Police, Patiala shall file an affidavit indicating as to whether there is no other criminal case pending against the petitioner.”



8. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his 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 petitioner. Consequently, present petition is allowed; interim order dated 05.05.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

12. 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
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No