



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

209

**CRM-M-22018-2025
Date of Decision: 02.07.2025**

Jagtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Mr. Shiva Khurmi, AAG, Punjab.

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 petitioner in FIR No.7 dated 25.01.2025, under Sections 115(2), 351, 191(3) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') (Section 333, 238 of BNS added lateron), registered at Police Station Sadar Jalalabad, District Fazilka.

2. Reply by way of affidavit dated 30.06.2025/02.07.2025 of Mr. Jatinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad has been filed on behalf of respondent. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with co-accused formed an unlawful assembly and in prosecution of their common



object trespassed into the premises of *de facto* complainant Sandeep Singh and inflicted injuries on the person of the complainant party with their respective weapons.

4. Contends that petitioner was granted interim bail by Coordinate Bench of this Court on 07.05.2025 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 07.05.2025 and the order reads as under:-

“The petitioner seeks grant of anticipatory bail in case bearing FIR No.07 dated 25.01.2025 under Sections 115(2), 351, 191(3), 190 (333 and 238 added later) of BNS at Police Station Sadar Jalalabad, District Fazilka (Annexure P-1).

Reply dated 06.05.2025 by way of an affidavit of Jatinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division Jalalbad has been filed on behalf of respondent – State by the learned State counsel and the same is taken on record.

The learned counsel for the petitioner contends that as per the allegations, the petitioner has been attributed a simple injury with a lathi on the person of Banjara Singh.



Adjourned to 02.07.2025.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file an affidavit/reply as to the exact role of the petitioner and his co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

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 07.05.2025 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.

02.07.2025
Ithlesh

(MAHABIR SINGH SINDHU)
JUDGE

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