



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

202 (1st case)

**CRM-M-24631-2025
Date of Decision: 01.07.2025**

Baljinder Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Gaganpreet Kaur, Advocate for
Mr. Kuldip Singh, Advocate
for the petitioners.

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 the petitioners in FIR No.125 dated 07.11.2024, under Sections 333, 115(2), 191(3), 324(4) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station Vairoke, District Fazilka.

2. Short reply by way of affidavit dated 26.06.2025 of Jatinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division, Jalalabad, has been filed on behalf of the respondent. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.



3. Allegations are that petitioners along with co-accused formed an unlawful assembly and in prosecution of their common object trespassed into the premises of *de facto* complainant Manjit Singh and inflicted injuries on the person of the complainant party with their respective weapons.

4. Contends that petitioners were granted interim bail by Coordinate Bench of this Court on 07.05.2025 and in pursuance thereof, they have already joined investigation; hence, their 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 their custodial interrogation is not required at this stage.

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

7. It transpires that while issuing notice of motion, petitioners were granted interim protection by Coordinate Bench of this Court on 07.05.2025 and the order reads as under:-

“The petitioners seek grant of anticipatory bail under Section 482 of BNSS, 2023 in case bearing FIR No.125 dated 07.11.2024 registered under Sections 333, 115(2), 191(3), 190, 324(4) of BNS, 2023 at Police Station Vairoke, District Fazilka.

The learned counsel for the petitioners contends that only simple injuries have been attributed to the petitioners.



Notice of motion for 01.07.2025.

*Mr. Kunwar Bir Singh, Asstt. A.G., Punjab
accepts notice on behalf of the respondent-State.*

*In the meantime, the petitioners are directed
to appear before the SHO/Investigating Officer to
join investigation and in the event of their arrest,
they shall be released on bail on their furnishing
bail bonds to the satisfaction of SHO/Investigating
Agency subject to the following conditions as
envisaged under Section 482(2) BNSS:-*

*i) that the petitioners shall make themselves
available for interrogation before the
Investigating Officer as and when required;*

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

*iii) that the petitioners shall not leave the country,
without prior permission of the Court and shall
surrender his/her/their passport, if any.*

*Meanwhile, the State counsel is directed to
file an affidavit as to the exact role of the petitioners
along with 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, petitioners have joined investigation and as on today, 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. 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 petitioners 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 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.

01.07.2025

Ithlesh

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No