



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

203 (1st case)

CRM-M-24835-2025

Date of Decision: 01.07.2025

Vijayant Marwaha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Prince Passicha, Advocate and
Mr. Sahil Kaul, 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 the petitioner in FIR No.60 dated 22.04.2025, under Sections 206, 207, 221, 222, 224, 241, 132, 356(2), 351(2), 351(3) and 191(3) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), registered at Police Station City Batala, District Batala.

2. Short reply by way of affidavit dated 30.06.2025 of Paramvir Singh, PPS, Deputy Superintendent of Police, Homicide and Forensic Batala, Police District Batala, 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 petitioner along with co-accused obstructed the *de facto* complainant Brijesh Singh from discharging his official duty and also criminally intimidated him.

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 while issuing notice of motion, petitioner was granted interim protection by Coordinate Bench of this Court on 07.05.2025 and the order reads as under:-

“The petitioner seeks grant of anticipatory bail under Section 482 of BNSS, 2023 in case bearing FIR No.60 dated 22.04.2025 (Annexure P-6) registered under Sections 206, 207, 221, 222, 224, 241, 132, 356(2), 351(2), 351(3), 191(3) of BNS, 2023 at Police Station City Batala, Distt. Batala.

The learned counsel for the petitioner contends that the allegations pertain to the complainant being assaulted by the petitioner and his co-accused on 22.04.2025. So far as the petitioner is concerned, he was undergoing cancer



treatment at Kokilaben Dhirubhai Ambani Hospital & Medical Research Institute, Mumbai on that day which is evident from Annexure P-1. He thus contends that alibi of the petitioner stand established beyond doubt.

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 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 482(2) BNSS:-

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 so as to dissuade him/her 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/her/their passport, if any.

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioner 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, 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.

01.07.2025

Ithlesh

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No