



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

203 (2nd case)

CRM-M-26680-2025
Date of Decision: 01.07.2025

Rajesh Marwaha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.P.S. Deol, Senior Advocate with
Mr. Vishal R. Lamba, 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 this Court on 15.05.2025 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 this Court on 15.05.2025 and the order reads as under:-

“Contends, inter alia, that petitioner is 66 years old and co-accused, namely, Vijayant Marwaha has been granted interim protection by Co-ordinate Bench on 07.05.2025 (P-2) in CRM-M-24835-2025.

Notice of motion.

Mr. Kunwarbir Singh, learned AAG, Punjab, accepts notice on behalf of respondent; seeks time to have instructions and/or to file response in the matter.

Posted for 01.07.2025.

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-24835-2025.”

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 15.05.2025 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