



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

211

CRM-M-27321-2025
Date of Decision: 02.07.2025

Dinesh Kumar

.....Petitioner

Versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tejas Ahlawat, Advocate for the petitioner.

Mr. Ankur Bali, Addl. P.P., U.T. Chandigarh assisted by
ASI Pawan Kumar.

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. 77 dated 12.04.2025, under Sections 115 (2), 126(2), 109 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25 of Arms Act, 1959 registered at Police Station Sector 31, District Chandigarh.

2. Allegations are that petitioner along with co-accused in furtherance of their common intention fired gunshot at *de facto* complainant-Raj Kumar @ Sanju with an intention to kill him & also inflicted several injuries on his person.



3. Contends that petitioner was granted interim protection by this Court on 19.05.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel and on instructions from ASI-Pawan Kumar submits that his custodial interrogation is not required at this stage.

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

6. It transpires that while issuing notice of motion, petitioner was granted interim protection by this Court on 19.05.2025 and the order reads as under:-

“Contends that matter has been amicably settled between the parties i.e petitioner as well as de facto complainant at their own level.

Notice of motion.

Mr. Ankur Bali, Addl.PP, UT, Chandigarh, accepts notice on behalf of respondent and Mr. Vikas Singh Chawra, Advocate, accepts notice on behalf of complainant; both of them seek time to have instructions; and/or to file written response in the matter.

Posted for 22.05.2025.

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-27284-2025.”



7. 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.

8. 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 19.05.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

11. 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