

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

211

CRM-M-36041-2025

Date of decision: 21st August, 2025

Jagjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Inder Pal Singh, Advocate for the petitioner.

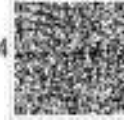
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks anticipatory bail in case FIR No. 06 dated 15.01.2025 registered under Sections 333, 125, 324(4), 351(3), 191(3) and 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 and 27 Arms Act, 1959 at Police Station Khilchian, District Amritsar.

2. Vide order dated 11.07.2025 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel filed status report dated 14.08.2025. The same is taken on record. She further, on instructions, states that the petitioner has not fully co-operated with the investigation and has not got recovered the 12 bore riffle carried by him at the time of occurrence. His custodial interrogation is required. Therefore, it is urged that the petition does not



deserve to be allowed.

4. The petitioner himself had sustained injuries in the same incident. He has joined investigation on 16.07.2025. So far as the non recovery is concerned, mere non recovery cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as '*Jagdish Thakkar vs. State of Delhi*', 1992 (3) CCR 2764' and in case titled as '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503. With regard to contention that the petitioner has not co-operated with the investigation, it may be stated that the behavior attributed to the petitioner cannot be considered as an instance of non-cooperation, justifying denial for grant of pre-arrest bail since, an accused, while joining investigation, is not expected to make self incriminating statement under the threat that the State may seek withdrawal of the interim protection granted to him. Accordingly, the present petition is allowed and the order dated 11.07.2025 granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.

5. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

21st August, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No