



CRM-M No.44811-2024 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M No.44811-2024 (O&M)
Date of Decision: 07.01.2025

Surjeet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**Present:** Mr. Paras Jagga, Advocate for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for seeking pre-arrest bail in FIR No. 138 dated 12.11.2023, under Section 379-B read with Section 34 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Basti Jodhewal, District Police Commissionerate Ludhiana.

2. Status report by way of affidavit dated 06.01.2025 of Mr. Devinder Kumar, PPS, Assistant Commissioner of Police (North), Ludhiana on behalf of respondent has been filed and the same is taken on record. Copy supplied to the other side.

Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with co-accused in furtherance of their common intention caused grievous injuries on the person of *de facto* complainant/injured-Arun Kumar and snatched mobile phone & Rs. 25,000/- from him.



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4. Contends that the Coordinate Bench, granted interim bail to petitioner on 10.09.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Kuldeep Singh present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

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

7. It is an admitted position that petitioner was granted interim bail by the Coordinate Bench on 10.09.2024 and relevant part of the same is recapitulated as under:-

“ Petitioner Surjeet Singh has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in case bearing FIR No. 138 dated 12.11.2023, under Section 379-B, 34 of IPC, registered at Police Station Basti Jodhewal, District Police Commissionerate, Ludhiana.

Learned counsel for petitioner argued that in FIR nobody is named as accused. Thereafter, supplementary statement was recorded, naming accused persons. Two of the alleged accused Ritik Singh and Kulwinder Singh were arrested. No recovery is to be effected from him. Petitioner is ready to join the investigation.

Notice of motion.

On the asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State. He pointed out that one pistol was recovered from co-accused and car used in alleged occurrence bearing No. PB-10CR-9536 was recovered from Ritik. It is further pointed out that money looted in this occurrence was allegedly used by said accused persons. Date is requested to file status report.

Let detailed status report be filed by respondent-State on or before the next date of hearing.

Adjourned to 23.10.2024.

In the meantime, arrest of present petitioner is stayed till next date of hearing, subject to his joining investigation.”

8. It is acknowledged by learned State counsel that in pursuance of



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above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.

9. In view of above, interim order dated 10.09.2024 is made absolute, subject to the conditions as envisaged under Section 482 of 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. Above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

12. Disposed off accordingly.

13. Pending application(s), if any, shall also stand disposed off.

07.01.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No