

2025:PHHC:028288



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

292

CRM-M No.45503 of 2024 (O&M)
Date of decision: 27.02.2025

Gursewak Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Mayur Karkra, Advocate,
for the petitioner.

Ms. Himani Arora, AAG, Punjab.
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The petitioner had joined investigation earlier in compliance of orders dated 12.09.2024 and 06.11.2024 and thereafter also. Though it is submitted that the petitioner has not cooperated and did not get effected the recovery, however, in view of the well settled proposition of law to the effect that an accused while joining investigation as a condition for remaining enlarged on bail, is not expected to make any self incriminating statement or to get effected any recovery and non-recovery cannot be stated to be a ground for denying bail, as while exercising jurisdiction to grant pre arrest bail, the Court is not expected to act as recovery agents, I am of the considered opinion that the pretrial incarceration of the petitioner is not required. Accordingly, the petition is

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allowed and the order dated 12.09.2024 granting interim bail to the petitioner is made absolute subject to the compliance of the conditions laid down in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

2. Miscellaneous application(s), if any, also stand disposed of.

27.02.2025

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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No