



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

CRM-M-43036-2025 (O&M)

Date of Decision:23.09.2025

Akash Walia

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Namit Khurana, Advocate for the petitioner.

Ms. Himani Arora, D.A.G, Haryana.

Mr. Sidharth Kaushal, son of complainant in person.

MANISHA BATRA J.(Oral)

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No.189 dated 02.04.2025, registered under Sections 316(2), 318(4), 336(3) (deleted), 338 (deleted), 340(2) (deleted) of BNS, at Police Station 32-33, District Karnal.

2. Vide order dated 07.08.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation.

3. Learned counsel for the petitioner submits that when notice of motion was issued by this Court on 07.08.2025, the petitioner was directed to join the investigation and was granted interim bail. In pursuance thereof, he has already joined the investigation and has fully cooperated with the investigation process. Therefore, the interim bail granted to the petitioner may be made absolute



4. Learned State counsel on instructions from HC Yogesh Kumar, submits that the petitioner has joined the investigation on 16.08.2025. It is submitted on instructions that custodial interrogation of the petitioner is not required.

5. Mr. Sidharth Kaushal, son of the complainant, has appeared in person and submitted that the affidavit relied upon by the complainant does not bear the signature of his father.

6. I have heard the learned counsels for the parties as well son of the complainant.

7. However, since the offences under Sections 336(3), 338, and 340(2) have been deleted by the investigating agency, this Court cannot treat the same as a ground at this stage to deny the concession of bail to the petitioner. Considering the nature of the allegations, this Court is of the opinion that pre-trial incarceration of the petitioner is not required. Accordingly, a case is made out for allowing the petition.

8. Keeping in view the above-mentioned facts and circumstances, and without commenting on the merits of the case, the present petition is allowed. The order dated 07.08.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (analogous to Section 438(2) of the Code of Criminal Procedure).

(MANISHA BATRA)
JUDGE

23.09.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No