



221

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

CRM-M-43449-2025 (O&M)

Date of Decision:24.09.2025

Labha @ Lovepreet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Mr. Ishyan Gupta, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA J.(Oral)

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case FIR No.85 dated 22.07.2024 registered under Sections 304, 115(2), 127(1), 190 and 191(3) of BNS, 2023, (Sections 238 and 310(2) of BNS were added later on and Section 304 of BNS was deleted later on) at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. Vide order dated 11.08.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation.

3. Status report/reply filed on behalf of the respondent-State is taken on record, as per which, during the course of investigation, an **offence under Section 238 of the BNS has been added.**



4. ***Registry is directed to carry out the necessary changes in the headnote as well as in the prayer clause of the petition to reflect the addition of Section 238 of BNS.***

5. Learned counsel for the petitioner submits that when notice of motion was issued by this Court on 11.08.2025, 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

6. Learned State counsel, on instructions, submits that the petitioner joined the investigation on 20.09.2025. She further submits that the petitioner did not effect the recovery of the weapon of offence, and as such, his custodial interrogation is further required.

7. I have heard the learned counsels for the parties.

8. Non-recovery of the weapon cannot be stated to be a reason for denying the benefit of pre-arrest bail to the petitioner. Since the petitioner has already joined the investigation, and considering the nature of the allegations, this Court is of the considered view that pre-trial incarceration of the petitioner is not required. Accordingly, a case is made out for allowing the petition.

9. 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 11.08.2025, 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

24.09.2025

shweta

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No