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

CRM-M-54568-2024

Date of Decision: 19.02.2025

Sukhraj Singh @ Noni

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sukhbir Maandi, Advocate,
for the petitioner.

Ms. Avneet, AAG, Punjab assisted by
ASI Balwinder Singh.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 for seeking pre arrest bail in FIR No. 83 dated
23.09.2023, registered under Sections 326, 323 & 324 read with Section 34 of
the Indian Penal Code, 1860 (for short "IPC") at Police Station Chohla Sahib,
District Tarn Taran.

2. Allegations are that on 15.08.2023, petitioner along with co-
accused Harwinder Singh, Harpal Singh @ Bala and Angrej Singh in
furtherance of common intention caused injuries on the person of Jiwan Singh
with *Dasta, Gandasi and Datar*.

3. Learned Counsel contends that petitioner was granted interim bail
by the this Court, vide order dated 13.01.2025 and in pursuance thereof, he has
already joined the investigation; hence, his custodial interrogation is not
required.



4. The above factual position is not disputed by learned State Counsel, on instructions from ASI Balwinder Singh.

5. Heard learned Counsel for the parties and perused the paper-book.

6. It transpires that petitioner was granted interim bail by the this Court vide order dated 13.01.2025 and the order reads as under:-

“Status report filed by way of affidavit dated 07.12.2024 of Mr. Atul Soni, P.P.S., Deputy Superintendent of Police, Sub Division Khadur Sahib, Camp at Goindwal Sahib, District Tarn Taran, on behalf of the respondent-State, is taken on record.

Registry to do the needful.

Learned State counsel seeks time to verify about the pendency of other criminal cases against the petitioner.

Posted for 19.02.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 13.01.2025 is made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.



11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

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

19.02.2025
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No