

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

**CRM-M-59511-2024 (O&M)
Date of decision: 22.04.2025**

Surinder Singh @ Sukhjinder Singh @ Makhi and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gurmeet Singh Saini, Advocate for the petitioners.

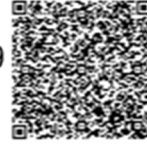
Mr. S.S.Chahal, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) for grant of pre-arrest bail to the petitioners in FIR No.0135 dated 02.11.2024 (P-1), under Sections 109, 351(3), 324(4), 191(3) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (*for short 'BNS'*); Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Makhu, District Ferozepur.

(2) Allegations are that petitioners attacked at the house of complainant with deadly weapons and fired gun shots at the main door.

(3) Learned Counsel contends that petitioners were granted interim protection by this Court, vide order dated 15.01.2025 and in pursuance



thereof, they have already joined the investigation; hence, their custodial interrogation is not required.

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

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

(6) It transpires that petitioners were granted interim protection by this Court, vide order dated 15.01.2025 and the same reads as under:-

“Short reply dated 14.01.2025 by way of affidavit of Mr. Gurdeep Singh, PPS, Deputy Superintendent of Police, Zira, District Ferozepur has been filed on behalf of respondent-State, which is taken on record. Copy supplied to the other sides. Registry to tag the same at appropriate place.

Contentends that it is a case of non-injury; moreover, matter has been amicably settled between the parties i.e. petitioners and de facto complainant.

Notice of motion.

Mr. Mohit Kapoor, learned Sr.DAG, Punjab accepts notice on behalf of the respondent-State; seeks time to have instructions and/or to file written response in the matter.

At this stage, Mr. B.S.Sidhu, Advocate accepts notice on behalf of de facto complainant and admits the factum of compromise.

Posted for 04.03.2025.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all

2025:PHHC:051339



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, both the petitioners have joined investigation and their 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 petitioners. Consequently, present petition is allowed; interim order dated 15.01.2025 is made absolute subject to the conditions as envisaged under Section 482 (2) of the BNSS.

(9) It is also made clear that petitioners 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 petitioners, 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.

22nd April, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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