

2025.PHHC.025753



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(203)

CRM-M-59157-2024

Date of decision: 21.02.2025

Ayush

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Sanjeev Kumar, Advocate for the petitioner.

Mr.Neeraj Sheoran, DAG, Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of pre-arrest bail to the petitioner in FIR No.703 dated 07.10.2024, under Section 305 of Bhartiya Nyaya Sanhita, 2023, registered at Police Station HTM, Hisar.

2. Allegations are that petitioner had stolen gold jewellery from house of *de-facto* complainant – Ankit Chhabra by extending threats to his maternal uncle's son.

3. Contends that this Court granted interim bail to petitioner on 18.01.2025 and in terms thereof, he has already joined the investigation; hence his custodial interrogation is not required. Further contends that matter has been amicably settled with *de-facto* complainant.

4. Learned State Counsel on instructions from ASI-Virender acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioner is not required.

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

6. It transpires that petitioner was granted interim bail by this Court on 18.01.2025 and order reads as under:-

“Learned State Counsel shall apprise as to whether petitioner was issued any Notice by the Investigating Officer for joining investigation.

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In the meanwhile, petitioner shall join the investigation; but he be not arrested till the next date of hearing.”

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has duly 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 18.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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.

21.02.2025
sailesh

(MAHABIR SINGH SINDHU)
JUDGE