

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

214

CRM-M-58331-2025

Date of decision: 1st December, 2025

Kamaldep @ Buntty

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sunil Agnihotri, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

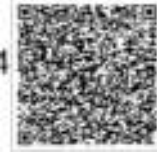
Mr. Krushal Munjal, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks anticipatory bail in case FIR No. 179 dated 06.09.2025 registered under Sections 316(2) and 318(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Mukerian, District Hoshiarpur.

2. Vide order dated 16.10.2025 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel filed status report dated 29.11.2025. The same is taken on record. She further, on instructions, states that the petitioner joined the investigation on 21.10.2025. However, it is, submitted that he has not co-operated with the Investigating Officer. His custodial interrogation is required. Therefore, it is urged that the petition does not deserve to be



allowed.

4. The petitioner joined investigation on 21.10.2025. Though it is submitted by learned State counsel that no money has been recovered at the instance of the petitioner. However, learned counsel for respondent No.2 has corroborated that a compromise has been arrived at between the parties and the terms thereof have been duly complied with by the petitioner. Keeping in view the circumstances peculiar to the case and given the nature of the allegations, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. Accordingly, the present petition is allowed and the order dated 16.10.2025 granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.

5. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

1st December, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*