

2025:PHHC:152103



219-2 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59130-2025
Date of Decision: 04.11.2025

Makhan Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 482 BNSS, petitioner, who is co-accused in case bearing FIR No.89 dated 01.09.2025 registered under Sections 109/125/191(3)/190 BNS and Sections 25/27/54/59 of Arms Act, at Police Station Kacha Pakka, District Tarn Taran, has prayed for grant of pre-arrest bail.

2. Status report dated 03.11.2025 by way of affidavit of Mr. Preetinder Singh, PPS, Deputy Superintendent of Police, Sub-Division Valtoha, Camp at Bhikhiwind, District Tarn Taran, has been filed. In para 6 thereof, factum of petitioner having joined the investigation, has been admitted. In para 8, the role of the petitioner has also been elaborated upon. Learned State counsel has pointed out that the main accused Salwinder Singh has since been arrested.

3. On 17.10.2025, following order was passed by this Court:-

“Petitioner, an accused in case FIR No.89 dated 01.09.2025, registered against him, for commission of offences

punishable under Sections 109, 125, 191(3), 190 of BNS and Sections 25, 27, 54, 59 of Arms Act, at Police Station Kacha Pakka, District Tarn Taran, has prayed for grant of pre-arrest bail.

Learned counsel submits that petitioner has been falsely implicated on account of some political rivalry. The incident did not occur in the matter as portrayed by complainant party. In any case, even if the allegations levelled in the complaint are taken to be true at its face value (though not admitted), the role attributed to the petitioner is that though he was armed with weapon (Kirpan) and was a member of unlawful assembly, which unleashed an attack on complainant, but he did not actually participate in the incident and thus, no injury is attributed to him. Learned counsel further submits that the main accused (co-accused Salwinder Singh) has since been arrested, as also that petitioner is willing to join the investigation as and when called for by the IO.

Notice of motion.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to file detailed status report.

Adjourned to 04.11.2025.

To be heard along with CRM-M-54960-2025.

In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).”

4. Learned State counsel, on instructions states that the petitioner has joined the investigation and is not needed for any further investigation.

5. Keeping in view the fact that petitioner has joined the

investigation, interim bail granted vide order dated 17.10.2025 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 6. The petition stands allowed.
- 7. Pending application, if any, also stands disposed of.

04.11.2025
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

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