

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

2025:PHHC:033792



(218)

CRM-M-64478-2024

Date of Decision: 10.03.2025

Baljinder Singh @ Bablu

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Arnav Ghai, Advocate for petitioner.

Mr. Shiva Khurmi, AAG, Punjab with
SI Sartaj Singh.

Mr. Lalit Singla, Advocate for the complainant.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 482 of BNSS, 2023 in case FIR No.30 dated 22.03.2023 under Sections 302, 323, 148, 149, 34, 427, 120-B IPC (sections 148, 149 IPC were deleted later on), registered at Police Station, Nangal, District Rupnagar.

On 19.12.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned senior counsel for the petitioner, inter alia, contends that the alleged occurrence took place in the intervening night of 21/22.03.2023; the petitioner was not one of the accused named in the FIR in question, which was alleged to be an eyewitness account; no suspicion was raised qua the involvement/participation of the petitioner in the alleged

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occurrence. On being arrested, co-accused Mandeep allegedly suffered a disclosure statement on 23.03.2023, however, therein also, there was no mention of either the presence of the petitioner at the time of the alleged occurrence much less of he being a participant. Subsequently, on 26.03.2023, co-accused Mandeep suffered yet another disclosure statement, wherein for the first time, he claimed that the petitioner was “also involved” in the crime in question. Learned senior counsel has asserted that it is a matter of record that none of the eyewitnesses, including the complainant, named the petitioner or attributed any role or injury to him in the crime in question. Furthermore, it has been contended that since both the co-accused, who were named in the FIR in question have been extended the concession of regular bail, the petitioner’s custodial interrogation would not be necessitated in the aforementioned facts and circumstances. It has also been asserted by the learned senior counsel that the petitioner has no previous criminal antecedents.”

Learned counsel for the petitioner submits that in compliance of order dated 19.12.2024, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 19.12.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

10.03.2025

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