

2025.PHHC.021152



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(210)

CRM-M-32-2025 (O&M)

Date of decision: 13.02.2025

Gajraj Singh & another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Dhruv Thind, Ms.Manisha, Advocates, for
Mr.Arn timer Ghai, Advocate for the petitioners.

Mr.Neeraj Sheoran, DAG, Haryana.

Mr.Munish Behl, Advocate, for the *de-facto* complainant.

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 petitioners in FIR No.409 dated 03.12.2024, under Sections 420, 120-B of Indian Penal Code, 1860, registered at Police Station Bhondsi, District Gurugram.

2. Status report by way of affidavit dated 27/28.01.2025 of Shri Abhimanyu Lohan, HPS, Assistant Commissioner of Police, EOW, Gurugram has been filed on behalf of respondent No.1-State. Same is taken on record. Registry to tag the same at appropriate place.

3. Above FIR was registered by *de-facto*-complainant-Suresh Kumar with the allegations that petitioners hatched criminal conspiracy and cheated him on pretext of selling land.

4. Contends that this Court granted interim bail to petitioners on 07.01.2025 and in terms thereof, they have already joined the investigation; hence their custodial interrogation is not required. Further contends that matter has been amicably settled with *de-facto* complainant.

5. Learned State Counsel on instructions acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioners is not required.

6. Heard learned Counsel for the parties and perused the paper-book.

7. It is not in dispute that that petitioners were granted interim bail by this Court vide order dated 07.01.2025 and the order reads as under:-

“Contends, inter alia, that matter has been amicably settled between the parties i.e. petitioners and de facto complainant.

Notice of motion.

Mr. Kiran Pal Singh, learned AAG, Haryana accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

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

Posted for 14.01.2025.

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 the conditions as envisaged under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”

8. Further acknowledged by learned State counsel that in pursuance of aforesaid order, petitioners have joined the investigation;

hence, their custodial interrogation is not required.

9. Learned Counsel for the complainant has no objection in case, prayer of petitioners is accepted. He specifically submits that the matter has been amicably settled between the parties i.e. petitioners as well as *de-facto* complainant.

10. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioners since the matter has been amicably settled between the parties i.e. petitioners as well as *de-facto* complainant on their own level and petitioners have joined investigation on 10.01.2025.

11. Consequently, present petition is allowed; interim order dated 07.01.2025 is made absolute subject to the conditions envisaged under Section 482 (2) of the BNSS.

12. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

13. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

14. 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.

13.02.2025
sailesh

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/ No