

208 (2nd case)

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

**CRM-M-20-2025 (O&M)
Date of decision : 25.02.2025**

Dayud @ Gola @ Kuljit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Gurna, Advocate, for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short, 'the B.N.S.S.'*) has been filed for grant of pre-arrest bail to the petitioner in FIR No.0146 dated 25.08.2021, under Sections 323, 324, 452, 506, 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC'), (Section 201 IPC or Section 238 of Bharatiya Nyaya Sanhita, 2025 added later on) registered at Police Station Majitha, District Amritsar Rural.

(2) Learned counsel contends that petitioner was granted interim bail by this Court, vide order dated 14.01.2025 and in pursuance thereof, he has already joined the investigation; hence, his custodial interrogation is not required.

(3) The above factual position is not disputed by learned State Counsel, on instructions from Assistant Sub Inspector Jatinderpal



Singh, and submits that as on today, custodial interrogation of the petitioner is not required.

(4) Heard learned Counsel for the parties and perused the paper-book.

(5) It transpires that petitioner was granted interim bail by this Court, vide order dated 14.01.2025 and the order reads as under:-

“Notice of motion.

Mr. Mohit Kapoor, learned Sr. DAG, Punjab accepts notice on behalf of the respondent-State; seeks more time to have instructions and/or to file written response in the matter.

Posted for 25.02.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

To be heard alongwith CRM-M-3-2025.”

(6) It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required.

(7) 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 14.01.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.



(8) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

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

(10) 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.

25.02.2025

d.gulati

(MAHABIR SINGH SINDHU)
JUDGE

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