

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:177340



210

CRM-M-65711-2025 (O&M)

Date of decision:22.12.2025

Lovedeep Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ranjodh Singh Sindhu, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Rahul Rana, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner for grant of anticipatory bail in case arising out of FIR No.133, dated 23.10.2025, registered under Sections 115(1), 118(1), 3(3) of the BNS, at Police Station Mohkampura, District Amritsar.

2. Vide order dated 20.11.2025, passed by this Court, the petitioner was granted interim bail and directed to join investigation.

3. Power of attorney on behalf of the complainant has been filed.

4. Learned State counsel on instructions from the Investigating Officer has submitted that the petitioner has joined investigation on 25.11.2025, though, it is submitted by learned State counsel as well as learned counsel for the complainant that for the purpose of recovery of

weapon of offence, his custodial interrogation is required.

5. This Court has heard the rival submissions made by learned counsel for the parties.

6. Though, it is submitted by learned State counsel that for effecting recovery of weapon of offence, custodial interrogation of the petitioner is must. However, in the considered opinion of this Court, mere non recovery cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as '*Jagdish Thakkar vs. State of Delhi*', 1992 (3) CCR 2764' and in case titled as '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503.

7. In view of the fact that the petitioner has already joined the investigation and given the nature of allegations, this Court is of the opinion that pre-trial incarceration of the petitioner is not required. As such, without commenting on merits of case, this petition is allowed and the order dated 20.11.2025 granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.

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

22.12.2025

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No