

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:177396



212

CRM-M-67515-2025 (O&M)
Date of decision:22.12.2025

Satwant Singh & others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Manjot Singh Tiwana, Advocate for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Yagsimant Attri, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioners for grant of anticipatory bail in case arising out of DDR No.19 dated 26.10.2025, registered under Sections 118, 115(2), 324(4), 191(3) read with Section 190 of the BNS (offence under Section 118 of the BNS was deleted and Section 118(1) of the BNS was added lateron) vide GD No.16 dated 28.10.2025 recorded as cross version of FIR No.80, dated 25.10.2025, registered under Sections 326(f), 126(2), 324(4), 115(2), 351(2) and 3(5) of the BNS, at Police Station Sadar Budhlada, District Mansa.

2. Vide order dated 01.12.2025, passed by this Court, the petitioners were granted interim bail and directed to join investigation.

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

4. Status report has been filed. Learned State counsel on

instructions from the Investigating Officer has submitted that the petitioners have joined investigation on 06.12.2025. Though, it is submitted by learned State counsel as well as learned counsel for the complainant that recovery of weapon of offence is yet to be effected and for the purpose of recovery of weapon of offence, custodial interrogation of the petitioners 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 petitioners 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 petitioners have already joined the investigation and given the nature of allegations, this Court is of the opinion that pre-trial incarceration of the petitioners is not required. As such, without commenting on merits of case, this petition is allowed and the order dated 01.12.2025 granting interim bail to the petitioners 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