



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

101

CRM-M-32140-2025

Date of decision : 09.03.2026

GURSEWAK

..... PETITIONER

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. K.B. Raheja, Advocate
for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH. J.(Oral)

1. This petition for pre-arrest bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. This petition has been filed with regard to a case arising out of FIR No.13 dated 10.02.2025, for the commission of offence punishable under Sections 125, 115(2), 191(3), 190 of Bharatiya Nyaya Sanhita and Sections 25, 27 of Arms Act, Police Station Sadar Ferozepur, District Ferozepur.

2. It has been contended by learned counsel for the petitioner that the petitioner has already joined the investigation, and that for further investigation of the case, custodial interrogation of petitioner is not required. In view of above, the learned counsel for the petitioner has

requested to make the order dated 11.06.2025, whereby interim anticipatory bail was accorded to the petitioner to be absolute.

3. The learned State counsel has controverted the above-mentioned arguments. According to learned State counsel, in the present case there are very specific allegations against the petitioner with regard to use of firearm, and that the petitioner during the course of investigation the petitioner has been non-cooperative, and that he has not facilitated the recovery of firearm, which was used by him.

4. The record has been perused carefully.

5. In view of the fact that co-operation does not necessitate a confession of guilt and also that the petitioner has got a right not to assist the Investigating Officer in collecting evidence against him, it is hereby ordered that the order dated 11.06.2025 deserves to be made absolute. Hence the order dated 11.06.2025 is hereby made absolute.

6. The present petition stands allowed accordingly.

(SURYA PARTAP SINGH)
JUDGE

09.03.2026

vipin

Whether speaking/reasoned : Yes
Whether Reportable : No