

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:022486



210

CRM-M-71887-2025 (O&M)
Date of decision:13.02.2026

Gaurav Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed by the petitioner for grant of anticipatory bail in a cross case arising out of DDR No.26, dated 31.01.2025, registered under Sections 115(2), 118(1), 333, 190 and 191(3) of the BNS (offence punishable under Sections 118(2) and 117(2) of the BNS were added lateron) arising out of an FIR No.3, dated 15.01.2025, registered under Sections 115(2), 118(1), 333, 190 and 191(3) of the BNS, at Police Station Tibber, District Gurdaspur.

2. Vide order dated 19.12.2025, passed by this Court, the petitioner was granted interim bail and was directed to join investigation.

3. Status report has been filed. Learned State counsel on instructions from the Investigating Officer has submitted that the petitioner has joined investigation on 23.12.2025 and the weapon of offence has also

been recovered from him. He has further submitted that custodial interrogation of the petitioner is not required.

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

5. Given the nature of the allegations as levelled against the petitioner, this Court is of the considered opinion that no case for pre-trial incarceration of the petitioner is made out. Pre-trial incarceration even otherwise should not be a replica of post conviction sentencing. Accordingly, the present petition is allowed and the order dated 19.12.2025 granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.

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

(MANISHA BATRA)
JUDGE

13.02.2026

harjeet

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No