

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

219 (2)

CRM-M- 26096-2025(O&M)

Date of Decision: 27.05.2025

Baldev Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

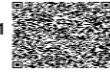
Present: Mr. Vikrant Mahajan, Advocate for
Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner in FIR No. 19 dated 20.02.2025, under Sections 109, 191(3), 351(2) read with Section 190 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 25 & 27 of Arms Act, 1959, registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur.

2. Status report dated 26.05.2025 by way of affidavit of Mr. Vipin Kumar, PPS, Deputy Superintendent of Police, Sub Division, Fatehgarh Churian, Police District Batala has been filed on behalf of respondent, which is taken on record. Registry to tag the same at appropriate place.



3. Allegations are that petitioner along with co-accused formed an unlawful assembly and in prosecution of their common object inflicted gunshot injuries on the person of complainant party with an attempt to kill them.

4. Contends that petitioner was granted interim bail by this Court on 14.05.2025 and in pursuance thereof, he has already joined investigation; hence, his custodial interrogation is not required.

5. The above factual position is not disputed by learned State Counsel and on instructions from SI-Baljit Singh submits that his custodial interrogation is not required at this stage.

6. Heard learned counsel for the parties and perused the paper-book.

7. It transpires that while issuing notice of motion, petitioner was granted interim protection by this Court on 14.05.2025 and the order reads as under:-

“Contends, inter alia, that co-accused, namely, Balkar Singh, with similar allegations, has already been granted interim protection by this Court, vide order dated 09.04.2025 (P-4), passed in CRM-M-20031-2025.

Notice of motion.

Mr. Kunwarbir Singh, learned AAG, Punjab accepts notice on behalf of the respondent; seeks time to have instructions and/or to file written response in the matter.

Posted for 27.05.2025.



In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till the next date of hearing.

To be heard along with CRM-M-20031-2025”

8. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.

9. 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 14.05.2025 is made absolute subject to the conditions as envisaged under Section 482(2) BNSS.

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

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

12. 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.

27.05.2025
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No