

2025.PHHC.019478



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(206)

CRM-M-503-2025(O&M)

Date of decision: 10.02.2025

Sunil

.....Petitioner

Versus

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr.Kunal Jindia, Advocate for the petitioner.

Mr.Neeraj Sheoran, DAG, Haryana.

Mr.Shubham Tandan, Advocate, for

Mr.Vicky Sharma, Advocate, for the complainant.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed for grant of pre-arrest bail to the petitioner in FIR No.480 dated 10.11.2024, under Sections 115(2), 118(1), 351(2) of Bhartiya Nyaya Sanhita, 2023, registered at Police Station Hodal, District Palwal.

2. Status report by way of affidavit dated 08.02.2025 of Shri Rajesh Kumar Chibber, PPS, Superintendent of Police, Sub-Division Rural, District Patiala has been filed on behalf of respondent-State. Same is taken on record. Registry to tag the same at appropriate place.

3. Above FIR was registered by *de-facto* complainant-Gyashiram with the allegations that petitioner had given knife injuries to his son-Nirottam.

4. Contends that this Court granted interim bail to petitioner on 10.01.2025 and in terms thereof, he has already joined the investigation; hence his custodial interrogation is not required.

5. Learned State Counsel on instructions acknowledged the above factual position and submits that as on today, custodial interrogation of the petitioner is not required.

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

7. It is not in dispute that that petitioner was granted interim bail by this Court vide order dated 10.01.2025 and the order reads as under:-

*“Contends, inter alia, that matter has been amicably settled between the parties i.e. petitioner as well as de facto complainant
Notice of motion.*

At this stage, Mr. Kiran Pal Singh, learned AAG, Haryana accepts notice on behalf of the respondent and seeks time to have instructions and/or to file written response in the matter.

Mr. Vicky Sharma, Advocate has filed Power of Attorney on behalf of the complainant and which is taken on record. Registry to tag the same at appropriate place. Learned Counsel for the complainant has duly acknowledged the factum of compromise.

Posted for 10.02.2025.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.”

8. Further acknowledged by learned State counsel that in pursuance of aforesaid order, petitioner has joined the investigation; hence his custodial interrogation is not required. However, he opposed the prayer on the premise that specific injuries were attributed to the petitioner.

9. On the other hand, learned Counsel for the complainant has no objection in case prayer of petitioner is accepted. He specifically submits

that the matter has been amicably settled between the parties i.e. petitioner as well as *de-facto* complainant.

10. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner since the matter has been amicably settled between the parties i.e. petitioner as well as complainant on their own level and petitioner has joined investigation on 21.01.2025. Thus, the objection raised by learned State Counsel would not disentitle petitioner for seeking the relief of pre-arrest bail in these circumstances.

11. Consequently, present petition is allowed; interim order dated 10.01.2025 is made absolute subject to the conditions envisaged under Section 482 (2) of the BNSS.

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

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

14. 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.

15. Disposed off accordingly.

Pending application(s), if any, shall also stand disposed off.

10.02.2025

sailesh

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/ No