



IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-21043-2026 (O&M)

Reserved on: 08.07.2026

Pronounced on: 09.07.2026

Uploaded on: 09.07.2026

VIPIN KUMAR

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Samay Sandhawalia, Advocate
for the petitioner.

Mr. Kshitij Bharti, Assistant Advocate General, Haryana.

Mr. Ankit Yadav, Advocate
for the complainant.

SHALINI SINGH NAGPAL J. (Oral)

1. Petitioner seeks anticipatory bail in FIR No.340 dated 19.11.2025 under Sections 115, 118, 126, 103, 324, 3(5) of Bharatiya Nyaya Sanhita (B.N.S.), 2023, Police Station Sadar Jhajjar, District Jhajjar. This is the first petition for anticipatory bail.

2. On 05.05.2026, following order was passed:

“CRM-16658-2026

Allowed as prayed for.

Main case

1. The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking anticipatory bail in case bearing FIR No.340 dated 19.11.2025 under Sections 115, 118, 126, 103, 324, 3(5) of BNS registered at Police Station Sadar Jhajjar, District Jhajjar (Annexure P-1).

2. *Reply dated 24.04.2026 by way of an affidavit of Assistant Commissioner of Police, Beri, District Jhajjar on behalf of respondent-State has been filed which is taken on record and a copy thereof has been handed over to learned counsel for the petitioner.*

3. *Briefly stated, the present case has been registered by complainant Dhram Dev wherein it is stated that he is having building material stock in village where he resides with his family and his son Ashish was working with him at the stock. On 19.11.2025, at about 12.30 PM his son Ashish informed him that he would visit the site situated in village Nangla in his Thar vehicle. At about 1.30 PM when the complainant was present at his stock, he received an information that a quarrel had taken place between his son Ashish, Sarpanch Sunil and Mohit in which his son Ashish suffered grievous injuries. Later on, the complainant came to know that Sarpanch Sunil, Mohit and his companions had waylaid the vehicle of Ashish and thereafter inflicted injuries to him. Hence, the present FIR was registered.*

3. *On perusal of reply, learned counsel for the petitioner contended that in para 37 of the reply, it is an admitted fact by the State that the petitioner is not involved in second round of fight, when fatal injuries were caused by the co-accused to Ashish (since deceased) with sua. It is further contended that the petitioner is not named in the FIR and the same has figured in supplementary statement recorded after a gap of 17 days and as per prosecution allegations, he is*

not armed with any weapon and initially, he came out of his house, as his house is situated near the place of occurrence and tried to pacify both the parties i.e. the deceased and co-accused, who caused injuries to each other at that time, but later on, a backup i.e. other co-accused came at the spot and they caused injuries to the deceased and at that time, the petitioner was inside his house as his mother took him inside the house and therefore, he was not involved in second round of fight.

4. *Mr. Satbir Singh Goripuria, DAG, Haryana opposed the present petition on the ground that as per the CCTV footage, the petitioner was present there, and in conspiracy with the co-accused caused injuries to the Ashish (since deceased) who succumbed to injuries later on.*

5. *Heard.*

6. *Taking into consideration the facts & circumstances of the present case, the rival contentions of learned counsel for the parties, and reply filed on behalf of the respondent-State wherein as per para 37, it is clearly mentioned that in second round of fight, which was specific query of this Court vide order dated 18.04.2026, it is submitted that in second round of fight petitioner was not involved when fatal injuries were caused to the Ashish (since deceased); it is not disputed fact that the occurrence took place outside the house of the petitioner and he is not named in the initial complaint lodged by the father of the deceased, and his name figured after a gap of 17 days subsequent to recording of*

supplementary statement; the petitioner was not armed with any weapon and as such, nothing is to be recovered from the present petitioner; the petitioner is willing & ready to join investigation, hence, this Court finds merit in the present petition and as such, at this stage, the petitioner is directed to join the investigation as and when required by Investigating Officer. In the event of his arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of investigating/arresting Officer subject to the conditions as envisaged under Section 482(2) of the BNSS (erstwhile Section 438(2) Cr.P.C.), till the next date of hearing.

7. *Adjourned to 08.07.2026.”*

3. Learned State counsel on instructions from ASI Vikas submits that petitioner did join investigation. He assisted by learned counsel for the complainant opposed the prayer for anticipatory bail arguing that petitioner did not co-operate in investigation, nor got recovered blood stained clothes. Therefore, the prayer for anticipatory bail be declined considering that he was convict in a murder case, out on bail.

4. Petitioner, concededly has joined investigation. An accused while joining investigation is not expected to incriminate himself under threat that State may seek withdrawal of the interim protection granted to him. Purpose of joining investigation is to make oneself available to the Investigating Agency, respond to interrogation and not to compulsorily divulge self-incriminating information and material. Conduct of the petitioner appearing before the Investigating Agency entitles him to the concession of anticipatory bail given the facts admitted in the status

report that petitioner was an intervener in the quarrel between deceased Ashish and accused Sunil @ Sethi and Mohit, caused him injuries using kicks and blows, whereafter he went to his house, changed his clothes and did not participate in the second part of the incident, which took place after some time, when co-accused caused injuries to the deceased leading to his death. In the circumstances of the case, but without commenting on merits, the petition is allowed and order dated dated 05.05.2026, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

5. Pending CRM(s), if any, are also disposed of accordingly.

09.07.2026
Ajay Goswami

(SHALINI SINGH NAGPAL)
JUDGE

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