



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

CRM-M-19345-2025
Date of decision: 07.05.2025

KARTIK

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Amandeep Chhabra, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. The present second petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.57 dated 08.02.2025 under Sections 333/3(5)/115 of BNS (during investigation Sections 110/117(2) of BNS) added later on) registered at Police Station Urban Estate Hisar, District Hisar. First petition was dismissed as withdrawn with liberty to file fresh one on 02.04.2025.

2. On 07.04.2025, following order was passed:

“The present second petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.57 dated 08.02.2025 under Sections 333/3(5)/115 of BNS (during investigation Sections 110/117(2) of BNS) added later on) registered at Police Station Urban Estate Hisar, District Hisar. First petition was dismissed as withdrawn with liberty to file fresh one on 02.04.2025.



Learned counsel for the petitioner inter alia contends that co-accused have been granted concession of anticipatory bail. Further, the petitioner and the complainant were not known to each other prior to the registration of the FIR (supra) and no motive to participate in the alleged incident is forthcoming.

Further, during the pendency of the present petition a compromise has been effected between the parties and the same is available on record.

Notice of motion.

On the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 07.05.2025.

Nothing observed hereinabove shall be construed as



expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”

3. Learned State counsel, on instructions from ASI Pardeep Kumar, submits that in compliance of order dated 07.04.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel, the order dated 07.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) BNSS, 2023 (*Erstwhile Section 438(2) Cr.P.C.*)
5. The petition is accordingly disposed of.
6. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

May 07, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |