



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
216

CRM-M-25107-2025
Date of decision: 30.07.2025

Rohit
.....Petitioner
Versus
State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mandeep Singh Kundu, Advocate
for the petitioner.

Mr. Neeraj Sheoran, Sr. DAG, Haryana.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.359 dated 27.11.2024, registered under Sections 109, 115, 126, 190, 191(3), 238, 324(4), 351(2) and 61(2) of BNS, 2023, at Police Station Murthal, District Sonapat.

2. On 19.05.2025, the following order was passed:-

“XX XX XX XX
Contends inter alia that petitioner was not named in the FIR; rather nominated on the basis of disclosure made by co-accused, namely, Manish @ Baba, who has already been granted bail pending trial by learned trial Court vide order dated 23.04.2025 (P-2) and there is no other criminal case pending against the petitioner.
Learned State counsel seeks time to have instructions regarding complicity of the petitioner.
Posted for 30.07.2025.
In the meanwhile, petitioner shall join investigation before the Investigating Officer; but he be not arrested till



the next date of hearing.”

3. Learned counsel for the petitioner, inter alia, contends that the FIR (supra) was registered after a delay of two days, which creates a serious dent on the case set up by the prosecution. Further, the petitioner has been nominated as an accused on the basis of disclosure statement made by Munish @ Baba, who has already been released on regular bail by the learned trial Court as discernible from Annexure P-2. The petitioner is not named in the FIR and the petitioner deserves the concession of regular bail on the principle of parity.

4. Learned State counsel has filed reply by way of affidavit of Malkeet Singh, Assistant Commissioner of Police, Ganaur, Sonapat, in the Court which is taken on record and he on instructions from ASI Sandeep, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 19.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

6. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

30.07.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No