

**CRM-M-29652-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.204****Case No. : CRM-M-29652-2025****Decided On : August 01, 2025**

Joga Singh

.... Petitioner

vs.

State of Haryana

.... Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

* * *

**Present : Mr. Satbir Singh Gill, Advocate
for the petitioner.**

Mr. Pawan Kumar Garg, DAG, Haryana.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.261 dated 21.05.2023, under Sections 147, 149, 323, 452, 506 IPC (Sections 302 and 325 IPC added later on), registered at Police Station Rania, District Sirsa.

The prosecution version, in brief, is that on the statement of one Pala Ram @ Pola, the aforesaid FIR was registered, wherein it was stated that on 16.05.2023, at about 09/09:30 PM, he along with his brother Mansa Ram and nephew Ramsharan were brutally attacked by 12 persons with their respective weapons, as a result of which, Mansa Ram succumbed to his injuries on 23.05.2023.

Learned counsel for the petitioner contended that 12 persons

have been named in the FIR as accused but name of the petitioner does not

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figure in the FIR. No specific role and injury has been attributed to the petitioner. The petitioner has been implicated in the present case on the basis of disclosure statement of co-accused Alisher. The petitioner has nothing to do with the alleged offence in the present case. He further contended that co-accused namely Ganesh, Rajat and Hardeep have already been granted concession of regular bail. He has further urged that custodial interrogation of the petitioner is not required for any purpose and therefore, he be granted concession of anticipatory bail.

Notice in this case was issued on 27.05.2025 and Status Report was called from the State, which has already been filed on 15.07.2025.

Learned State counsel has opposed the present bail petition while contending that the petitioner also actively participated in the alleged offence and weapons used in the offence are yet to be recovered. As a result of the occurrence, even precious life of one person namely Mansa Ram has been lost. So, the petitioner does not deserve concession of anticipatory bail and the present petition deserves dismissal.

Heard.

In the present case, initially the petitioner was not named in the FIR. Name of the petitioner was incorporated in the present case on the basis of disclosure statement of co-accused Alisher and Richhpal, who disclosed that the petitioner was one of the accused, who was having *danda* and he came in white coloured car and also participated in the occurrence. Copies of disclosure statements of Alisher and Richhpal have been appended with the Status Report as Annexures R-5 and R-6 respectively. Thus,



specific allegations have been levelled against the present petitioner that he was armed with *danda* and he inflicted injuries upon the complainant party with the same. Due to sustaining injuries in the occurrence in the present case, Mansa Ram expired during his treatment. Custodial interrogation of the petitioner is required for recovery of weapons used in offence. If some of the accused persons had been granted regular bail in the present case, then it has no impact on the present bail petition as parameters of considering an anticipatory bail petitioner are very different from regular bail petition. While considering an anticipatory bail petition, if custodial interrogation is denied to the investigating agency, then it may leave lacunae, loopholes and gaps in the investigation, thereby adversely effecting the case of the prosecution.

Keeping in view the specific allegations regarding involvement of the petitioner in the present case, no ground for granting anticipatory bail to the petitioner is made out. Accordingly, the present petition stands dismissed.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

August 01, 2025
monika

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.