

CRM-M-29890-2025 (O&M)
CRM-M-35765-2025 (O&M)

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2025:PHHC:148861



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+212

CRM-M-29890-2025 (O&M)

CHHAJU SINGH AND OTHERS

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

CRM-M- 35765-2025 (O&M)

SANJAY AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

Decided on: 30.10.2025

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Aditya Sanghi, Advocate, and
Mr. Himanshu Garg, Advocate,
for the petitioner(s) (in both the cases).

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Zorawar Singh Chauhan, Advocate,
for the complainant.

SANJAY VASHISTH, J.

1. By this common order, present two anticipatory bail petitions i.e. CRM-M-29890-2025 and CRM-M-35765-2025 are being disposed of, as both of them have arisen out of one common FIR No.56 dated 08.03.2025 under Sections 115, 190, 191(3), 351(3), 325, 109(1), 117(3) of BNS, registered at Police Station Sadar Mahendragarh, District Mahendragarh.



CRM-M-29890-2025 has been instituted by the petitioners namely (1) Chhaju Singh, (2) Pawan, (3) Chahatar Singh, (4) Ratan Singh, (5) Ramesh Singh and (6) Om Parkash, and CRM-M-35765-2025 has been instituted by the petitioners namely (1) Sanjay Singh and (2) Sunil.

2. Counsel for the petitioners submits that both the parties, i.e. complainant/injured/victim party and accused persons (petitioners herein), are neighbours in the village and share a common wall.

3. As per the allegations, the incident occurred on 26.02.2025 at about 11:00 A.M. when the complainant party was fencing their plot with wire. FIR has been got registered against total 17 accused persons, namely, Chhaju Singh son of Umrao, Pawan, Chittar, Ratan, Sunil, Ajay, Ramesh, Sombir, Sanjay, Om Prakash, Santosh, Santra, Sachin, Suman, Bimla, Babli, and Santosh.

From the complainant side, four persons sustained injuries, namely, Chhaju Singh son of Prabhu Singh (two injuries), Randhir (four injuries), Mukesh (one injury), and Amarpal (one injury). Out of the four injuries suffered by Randhir, three were declared grievous and collectively dangerous to life.

4. Further submits that FIR was registered belatedly on 08.03.2025, i.e. about ten days after the incident, without specifying, as to which particular accused had caused injuries to which specific victim. Subsequently, a supplementary statement of injured Randhir, under Section 161 Cr.P.C. was recorded on 21.03.2025, wherein he alleged that three grievous injuries were caused by accused Sanjay Singh, Sunil, and



Om Prakash, using iron spears and iron rods. It is, however, not the case that anyone from the accused side suffered any injury in the said incident.

5. Counsel for the petitioners contends that delay in registration of FIR creates doubt regarding the genuineness of the prosecution version and suggests possible concoction. He further submits that attribution of grievous injuries to accused Sunil, Sanjay, and Om Prakash came much later, i.e. 13 days after the registration of FIR.

It is also argued that though 17 accused have been named in the FIR, only four victims sustained total eight injuries, out of which merely three were grievous, and the rest were simple in nature. Had all 17 persons actively participated in the assault, the number and severity of injuries would have been much higher.

6. It is further submitted that, after the preliminary hearing on 27.05.2025, all the petitioners (in CRM-M-29890-2025) were directed to join the investigation. Similarly, vide order dated 10.07.2025, petitioners (in CRM-M-35765-2025) were also directed by this Court to join the investigation, and in compliance with both the orders dated 27.05.2025 and 10.07.2025, petitioners in both the cases have duly joined the investigation. Therefore, counsel prays that interim bail orders dated 27.05.2025 (in CRM-M-29890-2025) and 10.07.2025 (in CRM-M-35765-2025) be confirmed.

7. Learned State counsel, on instructions, confirms the submission made by counsel for the petitioners that petitioners have duly joined the investigation and further submits that, at present, their custodial interrogation is not required for the purpose of investigation.



However, learned State counsel, along with counsel for the complainant, submits that the manner in which incident took place clearly indicates that the complainant party was unarmed, whereas all 17 accused persons were armed with weapons as well as stones and bricks, and had collectively attacked the victims.

Considering the nature and gravity of the incident, and the fact that three of the injuries sustained by the injured Randhir were found to be grievous, it is argued that none of the petitioners deserve the concession of anticipatory bail. Accordingly, they jointly pray for dismissal of both the present petitions.

8. Heard learned counsel for the parties.

9. Undoubtedly, after hearing the preliminary arguments, all the petitioners in both the present petitions were directed to join the investigation. However, considering the fact that both parties are neighbours and injuries have been sustained only by members of the complainant party, it is relevant to note that, though at a belated stage, injured Randhir specifically stated that three of the accused — namely Sanjay Singh and Sunil (petitioners in CRM-M-35765-2025) and Om Parkash (petitioner No.6 in CRM-M-29890-2025), were armed with iron spears and iron rods and had caused injuries to him. Taking into account these facts and applying the principles of equity, this Court deems it appropriate to deny the concession of anticipatory bail to the aforesaid three petitioners, i.e. Sanjay Singh, Sunil and Om Parkash.

10. **Accordingly, petition CRM-M-35765-2025 is dismissed, and petition CRM-M-29890-2025 is dismissed, qua petitioner No.6 – Om**



Parkash.

11. As regards the remaining five petitioners, against whom no specific injury has been attributed and who were not alleged to be armed with any weapon, and considering that they have already joined the investigation and their custodial interrogation is no longer required, ad-interim bail order dated 27.05.2025 passed by this Court in CRM-M-29890-2025 is hereby made absolute. **Consequently, petition, i.e. CRM-M-29890-2025 is allowed, qua the said petitioners.**

However, petitioners shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

12. While parting with this order, it is observed that if the petitioners, namely Sanjay Singh and Sunil (petitioners in CRM-M-35765-2025) and Om Parkash (petitioner No.6 in CRM-M-29890-2025), surrender before the concerned Court within a period of one week from today, and thereafter, file a petition seeking regular bail, the same shall be considered and decided by the said Court expeditiously, in accordance with law.

13. In regard to the application, i.e. CRM-24786-2025 (in CRM-M-29890-2025) filed by the applicant/respondent No.2 (complainant), for recalling of the order dated 27.05.2025 passed by this Court, counsel for the applicant/respondent No.2 submits that, inadvertently, a concession regarding compromise was recorded in the said order, whereas, in fact, no compromise had taken place between the parties and its inclusion was due to an inadvertent mistake.



14. This Court is of the view that, since the main petition has already been finally disposed of, no adverse inference can be drawn against the complainant party on account of the recorded concession in the order dated 27.05.2025. At this stage, the said recording shall be deemed to be of no consequence for any intent and purpose.

15. With the observations recorded here above, both the present petitions stand disposed of.

16. All the pending miscellaneous application(s) in both the present petitions shall also stand disposed of.

17. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

30.10.2025
Lavisha

Whether Speaking/Reasoned: ✓YES/NO
Whether Reportable: ✓YES/NO