

CRM-M-31705-2025
Reserved on: 02.09.2025
Pronounced on: 09.09.2025

...PETITIONERS

...RESPONDENT

FIR No.	Dated	Police Station	Sections
70	08.05.2025	Saha, District Ambala	115(2)/126(2)/190/191(3)/ 351(2) BNS (Sections 61(2)/117(2)/110 BNS added later on)

1. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. Per paragraph 9 of the bail petition and the reply, the petitioners have no criminal antecedents.
3. Vide order dated 05.06.2025, the petitioners were granted interim bail by this Court, which is continuing till date.
4. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“4. That the brief facts of the case are that on dated 07.05.2025, the complainant namely Govind Singh son of Chhajju Ram f/o Vill. Samalheri, PS Saha, Ambala came present in the police station and moved an application bearing No.292-Dasti dated 07.05.2025 alongwith MLR No.CHCM/HS/1138 dated 07.05.2025 (pertains to Preet Singh), MLR No. CHCM/HS/1139 dated 07.05.2025 (pertains to Aditya), the complaint of complainant was endorsed in the Roznamcha of the Police Station at 23:49 hrs vide DDR No. 47 dated 07.05.2025, wherein, he has alleged that "I am permanent resident of district Ambala, we are two brothers. My younger brother Nirmal Singh has two sons Preet Singh age 16 years and Aditya age 14 years, both of them study in the village government school Preet Singh 10+2 and Aditya 10th class. Every day

usually they come and go to school on their motorcycle. Today on 07.05.25 my nephews Preet Singh and Aditya after school at 02.30 PM were coming to their home at their Dera on their motorcycle via Miththapur on Kharukheda road. When my elder nephew Preet Singh was driving the motorcycle and reached about 500 meters from the government school, three boys on a motorcycle and 4/5 boys in a white car stopped my nephews' motorcycle and quarreled and attacked them with sticks and rods and injured my elder nephew Preet Singh on the head, neck and stomach and my younger nephew Aditya in the right leg, arm and back and other parts of the body. I came to know that Tejas son of Devdatt resident Samlehari and Priyansh son of Billa resident Mithapur and Aarav son of Rohtas resident Samlehari and some of their other companions 4/5 names and addresses are unknown together attacked my nephews and injured them and threatened to kill them. Legal action be taken against the above mentioned persons and I am submitting the copy of MLR,s of my nephews Preet Singh and Aditya along with the complaint. Sd/- Govind Singh Applicant M. XXXXX-62382.”. However, the detailed facts of the present case has been mentioned in the FIR and the copy of FIR has been annexed as Annexure P-1 with the petition by the accused-petitioner, hence, its contents are not repeated for the sake of brevity.”

5. Counsel for the petitioners submits that neither the petitioners were named in the FIR nor any specific role has been attributed to them. The petitioners counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioners and their family.

6. The State’s counsel opposes bail and refers to the reply.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“20. That as far as the role of the accused-petitioners in the commission of present crime concerned is that as per allegations levelled in the FIR, the accused-petitioners alongwith other co-accused have hatched a criminal conspiracy and armed with deadly weapons and caused grievous injuries to injured Aditya in connivance with co-accused persons Tejas, Priyansh, Aarav Paras, and other companions, and such types of criminal activities are rising now a days and these activities need to be curbed down in the society and furthermore, the investigation is still going on, hence, releasing such kind of person on bail will not be in the interest of justice as accused may hamper the investigation and threaten the complainant/witnesses and there is a possibility also that they may flee away, if they are granted bail in the present case.”

REASONING:

8. Petitioners were not named in the FIR and no injury has been attributed to them,

petitioners were granted interim bail which is continuing till date and in the interregnum, there is no allegation that they hamper with the evidence or not joined the investigation, as such, no ground for discontinue the interim protection is made out, as such, same is made absolute subject to the condition mention in para No.9 of this order.

9. The petitioners are directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioners shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioners shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioners shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

10. Petition allowed in terms mentioned above. Interim order dated 05.06.2025 is made absolute. All the pending application(s), if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

09.09.2025
renubala

Whether speaking/reasoned:	Yes
Whether reportable:	No.