



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

106

CRM-M-37670-2025

Date of decision: 17th July, 2025

Rjat Dhiman and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Namit Khurana, Advocate for the petitioners.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners seeking grant of anticipatory bail in case bearing FIR No. 100 dated 15.05.2020 registered under Sections 323, 324, 325, 326, 341, 506 and 120-B of IPC at Police Station Chhachhrauli, District Yamuna Nagar.

2. As per the allegations, on 14.05.2020, the complainant who was running a jewellery shop at village Kot Muktsara closed his shop and was going to his house at village Manakpur. He was carrying gold and silver ornaments in his bag. When he reached near the cremation ground of Kot Majri on his motorbike, he was intercepted by three youths who came in front of him on a motorbike and stopped him. The complainant identified all of them, two of whom were the petitioners. They were holding *kirpans* and



sticks and opened an assault upon him. They snatched his jewellery bag after causing injuries to him and fled while extending threats to kill him and his cousin-Amit Kumar, if he disclosed about the incident to anyone. The complainant somehow managed to reach hospital for his treatment and had got himself treated. On his complaint, the aforementioned FIR was registered. Investigation proceedings were initiated.

3. During investigation, the petitioners were found to be innocent and had not been arrested and challaned. Their names were kept in column no. 2 of challan report, which was presented against the co-accused in the case. During trial, the prosecution examined the complainant as witness who took the names of the petitioners. An application under section 319 of Cr.P.C.(*pari materia* with section 358 of BNSS) was filed by the prosecution, which was allowed and the petitioners were ordered to be summoned to face trial along with the accused already arraigned. Apprehending their arrest, the petitioners moved an application for grant of pre-arrest bail, which has been dismissed by the court of learned Additional sessions, Judge Yamuna nagar vide order dated 13.06.2025.

4. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. They were found to be innocent after conducting thorough investigation. Their custodial interrogation is not required. No recovery is to be effected from them. No purpose would be served by detaining them in custody. It is, therefore, argued that they deserve to be released on anticipatory bail.

5. Notice of motion.

6. Learned Additional Advocate General, Haryana, has advance



notice of the petition and is ready to argue the matter. It is submitted by him that, keeping in view the gravity of the allegations as levelled against the petitioners, they do not deserve to be extended benefit of anticipatory bail.

7. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

8. The petitioners are alleged to have voluntarily caused injuries to the complainant after wrongfully restraining him and are further alleged to have looted him on the fateful day. They were found to be innocent by the investigating agency. They have been summoned now on allowing of an application filed under Section 319 of Cr.P.C.(*pari materia* with section 358 of BNSS). Their custodial interrogation is not required. Neither any recovery is to be expected from them. The subject offences are triable by magistrate. No useful purpose would be served by detaining the petitioners in custody. As such, I am of the considered opinion that the petition deserve to be allowed. Accordingly, the same is allowed and the petitioners are ordered to be extended benefit of anticipatory bail, subject to their surrender before the Investigating Officer within a period of ten days from the date of passing of this order and on their surrender within that period, they shall be released on bail by the learned trial Court on furnishing bonds to its satisfaction and the following conditions:-

- (i) the petitioners shall cooperate with the investigation and shall appear before the investigating officer/arresting officer as and when required.
- (ii) they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the



case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.

(iii) they shall not commit any similar offence while on bail.

9. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

10. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[MANISHA BATRA]
JUDGE

17th July, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |