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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40508-2025 (O&M)
Decided on : 29.08.2025

Vakil Chand alias Vakil and another

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vikas Bishnoi, Advocate
for the petitioner(s).

Mr. Amish Sharma, AAG, Haryana
assisted by ASI Salander, 56/FTB.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed here-under:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Vakil Chand alias Vakil and Dariyav	208	25.05.2025	115, 118(1), 333, 61, 351(3), 3(5) of BNS, 2023 [S. 115 and 61 of BNS, 2023, deleted during investigation and S. 115(2), 61(2) & 118(2) of BNS, 2023 added later on]	City Fatehabad	Fatehabad

2. On 29.07.2025, following order was passed:-

“ Instant petition is preferred under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in FIR No.208 dated 25.05.2025 under Sections 115, 118(1), 333, 61, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) (later on Sections 115 & 61 of BNS were deleted and Sections 115(2), 61(2) & 118(2) of BNS were added), registered at Police Station City Fatehabad, District Fatehabad.

Learned counsel for the petitioners, inter alia, contends that FIR (supra) was registered after a delay of more than 01 day, which creates a serious dent on the case set up by the prosecution. Further, it is a case of version and cross-version. The injury, for which offence under Section 118(2) of BNS has been added, is specifically attributed to co-accused Karan. Furthermore, the petitioners were granted the concession of regular bail by learned trial Court vide order dated 09.06.2025, however, the present petition has been filed on account



of addition of Section 118(2) of BNS, which is non-bailable.

Notice of motion for 29.08.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioners will cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioners to join the investigation, they would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 29.07.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions, confirms the said averment made by learned counsel for the petitioner of joining the investigation on 02.08.2025, by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 29.07.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner 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.

7. Accordingly, petition stands **disposed of**.
Misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

August 29, 2025

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*