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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.42981 of 2025
Date of Decision: 09.09.2025
Reserved on: 28.08.2025

Harmeet Singh Bhatia ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nitin Mittoo, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
376	14.06.2025	Shahabad, District Kurukshetra	103(1), 3(5), 61(2), 111(2), 111 (3) and 111 (5) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) and 25 and 27 of Arms Act, 1959

2. Brief facts of the case relevant for the purpose of disposal of

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this petition are that the aforementioned FIR has been registered on the basis of complaint submitted by the complainant Prince alleging that he was working as a driver with the liquor contractor Shantanu from the last one month. On the evening of 13.06.2025, he along with Aniket, another employee of the liquor vend and his employer Shantanu was going towards Shahbad. He had stopped his vehicle at Meena Market Shahbad on asking of Shantanu. The latter had alighted from the vehicle and was proceeding towards a shop to buy cigarette, when suddenly two youths reached from behind on a motorbike and one of them started firing shots upon him. Seeing them, the complainant hit both of them with his vehicle due to which the assailants also sustained injuries and fled while leaving their motorbike at the spot. The injured Shantanu was rushed to hospital who succumbed to the injuries and died. After registration of FIR, investigation proceedings were initiated.

3. As per the further allegations, on 14.06.2025, a post was posted on Instagram App of one Noni Rana gang thereby taking responsibility of murder of the victim Shantanu. The names of gangsters Lawrance Bishnoi, Jitender Maan, Rajan Jaat, Noni Rana and Kala Rana were also mentioned in that post. The accused Rajan Jaat who was in custody in some other case, was nominated as such. His presence was secured by way of issuance of production warrants. Thereafter, he was interrogated and suffered disclosure statement admitting his involvement in the murder of Shantanu. Subsequently, the accused Shubham Khurana alias Kalu, Baljinder @

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Mangu, Sujal, Abhishek Tukral @ Abhu, Prabhjot, Ikshan Mehta, Mohit Kumar, Deepender Pal @ Kirat, Sachin, Dharmvir Singh, Sandeep @ Lota and Vansh Rana were also arrested. In his disclosure statement, the accused Ikshan Singh Mehta disclosed that the present petitioner who was his classmate as well as a close friend, had told him that one of his friend namely, Badal Heer was a member of gang of Noni Rana, gangster and was involved in several cases of murder. The petitioner had offered to him that he would be getting handsome amount of money on joining the gangsters Badal Heer and Noni Rana. He had agreed and then the petitioner had introduced him with gangster Badal Heer. This accused also disclosed that on 04.06.2025, the petitioner had told him that a plan was hatched with the members of the gang of Noni Rana to kill the liquor contractor Shantanu and some motorcycle was to be brought from a shop of Village Adhoya which the accused Ikshan Singh Mehta was required to keep with himself. He further disclosed that he along with the petitioner and co-accused Harman had brought a bike having fake number plates from shop of one Mohit, resident of Village Adhoya. The said bike was kept in the house of petitioner along with some more fake number plates. He also disclosed that on the night of 13.06.2025, he had been called by the petitioner who had disclosed that the co-accused Romil Vohra and Sujal had committed murder of the victim Shantanu. On his disclosure statement, the petitioner has been nominated as an accused. Apprehending his arrest, he moved an application for grant of pre arrest bail which has been dismissed by the Court of learned

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Additional Sessions Judge, Kurukshetra vide order dated 31.07.2025.

4. It is argued by learned counsel for the petitioner that he was not named in the FIR. He has been falsely implicated on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. There is no allegation against him that he was the assailant of the victim. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. It is, therefore, urged that the petition deserves to be allowed.

5. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that there are serious allegations against the petitioner who was part of a conspiracy hatched with the co-accused to commit murder of the victim and had actively participated in the same by arranging for a motorbike for the assailants and then provide the same to them. He had also facilitated escape of the assailant Romil Vohra in a car. For the purpose of recovering the said car, the forged number plates, the weapons used in the crime, custodial interrogation of the petitioner is must. No exceptional and extraordinary circumstance for grant of anticipatory bail is even otherwise made out. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have hatched a conspiracy with the co-accused to commit murder of the victim and he is also alleged to have facilitated vehicles for use at the time of murder by the co-accused as well as

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for the escape of co-accused Romil Vohra who is now stated to have died. The respondent-State has placed on record, photographs taken from the CCTV footage of the camera installed in the vicinity showing the presence of the petitioner along with the co-accused near the place of occurrence. The allegations against the petitioner are quite serious in nature. For conducting thorough investigation in the matter as well as for recovery of vehicles used in the crime, his custodial interrogation is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove

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shall not be construed as an expression of opinion on the merits of the case.

09.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No