

CRM-M-50842-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-50842-2025
Decided on: 01.12.2025

Puran

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Retender Rathee, Advocate for
Mr. B.K. Bagri, Advocate
for the petitioner.
Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

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 FIR No.336 dated 10.08.2025, under Sections 115(2), 351(3), 110, 3(5) of BNS, at PS City Rohtak, District Rohtak.
2. On 11.09.2025, following order was passed:
“(i) 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 hereunder:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Puran, aged 77 years	336	10.08.2025	115(2), 351(3), 110, 3(5) of BNS	City Rohtak	Rohtak



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(ii) *Learned counsel for the petitioner, inter alia, contends that present case essentially arises out of a land possession dispute. As per the prosecution version, on 08.08.2025, police administration handed over possession of a plot to the complainant, in compliance with the orders of the Court.*

It is alleged that on 10.08.2025, when the complainant party visited the said plot, they found the accused persons present there, allegedly armed with weapons such as sticks and spades. Petitioner is stated to have been armed with a stick and is alleged to make an attempt of assault on complainant. However, it is alleged that complainant's brother, Sonu, intervened and saved the complainant by shielding him with his hands, during which Sonu sustained injuries on his hands. Further, it is alleged that due to attack with the spade, finger of Sonu's left hand got cut.

(ii) *Learned counsel for the petitioner submits that such allegations are improbable and exaggerated, especially in light of the fact that petitioner is a 77-year-old man. The claim that he was simultaneously armed with both stick and spade is inherently implausible, given his age and physical capacity. Moreover, it is pointed out that none of the injuries allegedly suffered by the complainant's side are on any vital part of the body, which also casts doubt on the seriousness of the alleged assault.*

It is further submitted that petitioner is ready and willing to join the investigation and extend full cooperation to the investigating agency, if protected from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

(iv) *Notice of motion.*

(v) *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent-State and seeks some time to file status report in the matter.*

(vi) *Adjourned to 01.12.2025.*

(vii) *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

(viii) *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court. ”

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3. Learned counsel for the petitioner contends that in compliance to the order dated 11.09.2025 passed by this Court, the petitioner has joined the investigation on 18.09.2025.

4. Learned State counsel on instructions, confirms the said averment made by counsel for the petitioner of joining the investigation on 18.09.2025 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 11.09.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The 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.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he/she would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

01.12.2025

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Whether Speaking/Reasoned:
Whether Reportable:

YES/NO
YES/NO