



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

107

CRM-M-52068-2025

Date of decision: 16th September, 2025

Robin Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Antriksh Sharma, Advocate for the petitioner.

Mr. Apoorav Garg, Additional Advocate General, Haryana.

Mr. Aman Joon, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition for grant of pre-arrest bail as filed by the petitioner in case arising out of FIR No. 155 dated 22.03.2025 registered under Sections 109(1), 115, 3(5) and 351(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 27 of Arms Act, 1959 at Police Station Krishna Gate Thanesar, Kurukshetra, District Kurukshetra. His previous petition had been dismissed by this Court vide order dated 16.07.2025. Thereafter, the petitioner filed a petition for special leave to appeal which too has been dismissed as withdrawn vide order dated 28.08.2025 (Annexure P-8).

2. It is argued by learned counsel for the petitioner that after dismissal of the previous petition, there is a change in the circumstances as the complainant has filed a petition before this Court seeking fair and



impartial investigation wherein a stand has been taken by him that the occurrence had taken place on instigation of organizer Shri Swami Hari Om. It is further submitted that since the petitioner had been nominated as accused on the allegation that it was on his instigation that the co-accused had fired shots with a firearm and had injured victim Ashish Tiwari, and as this allegation stands falsified in view of the plea taken by the complainant in the petition filed by him before this Court, as such, he has become entitled to seek benefit of pre-arrest bail. It is, therefore, submitted that the petition deserves to be allowed.

4. Learned State counsel has advance notice of the petition and is ready to argue the matter. Memo of appearance on behalf of the complainant has also been filed. It is argued by learned State counsel assisted by learned counsel for the complainant that not only the previous petition as filed by the petitioner but also a petition for special leave to appeal as filed by him have been dismissed. No new ground has been made out as the complainant has not changed his stand. The petitioner was nominated on the basis of disclosure statement of the co-accused. There are serious allegations against him. There is no exceptional and extra ordinary circumstance for grant of pre-arrest bail. There is no drastic or new change in the circumstances. It is, therefore, urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner was alleged to have instigated the co-accused to open fire with a firearm at the victim and his companions and in the incident, the victim has sustained firearm injury. The prayer for grant of pre-arrest



bail as made by the petitioner has been dismissed by this Court as well as by Hon’ble Supreme Court. The petitioner has now tried to make out a case that the complainant has taken a stand that it was Swami Hari Om, who had initiated the occurrence and had instigated others to open fire and not the complainant. However, since it was on the basis of disclosure statement of the co-accused that the petitioner was nominated as an accused and since the stand as taken by the complainant does not appear to have been changed at all, this court finds no new or specious change in the circumstance thereby entitling the petitioner to extend benefit of pre-arrest bail. His previous petition had been dismissed by passing a detailed order. He has failed to point out any exceptional or extra ordinary circumstance. As such, this Court finds no reason to allow the petition. Accordingly, the same is dismissed.

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

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

16th September, 2025

Parveen Sharma

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