



CRA-S-2900-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRA-S-2900-2025

Decided on: 19.11.2025

Sombir

.....Appellant

Versus

State of Haryana and another

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ravi Ambawata, Advocate
for the appellant.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

SANJAY VASHISTH, J.

1. Present appeal has been filed by the appellant, challenging the order dated 28.08.2025 passed by learned Additional Sessions Judge, Narnaul, whereby anticipatory bail petition filed by the appellant has been dismissed, in case, FIR No.47 dated 02.05.2025, under Sections 115, 191(2), 191(3), 351(3) of BNS and Sections 3(2)(va) of SC/ST Act, registered at Police Station City Kanina, District Mahendegarh.

2. On 17.09.2025, following order was passed:

“(i) Present appeal has been filed by the appellant, challenging the order dated 28.08.2025 passed by learned Additional Sessions Judge, Narnaul, whereby anticipatory bail petition filed by the appellant has been dismissed, in case, FIR No.47 dated 02.05.2025, under Sections 115, 191(2), 191(3), 351(3) of BNS and Sections 3(2)(va) of SC/ST Act, registered at Police Station City Kanina, District Mahendegarh.

(ii) Learned counsel for the appellant contends that co-accused, namely Rakshak Lamba @ Rakshak and Devender @ Devender Singh @ Jony, have already been granted the concession of anticipatory



bail by this Court vide common order dated 29.07.2025, passed in CRA-S-2015-2025 and CRA-S-2016-2025. Another co-accused, Priyanshu Bhati, was also granted anticipatory bail by this Court vide order dated 21.08.2025 in CRA S-2549-2025 (Annexure A-3). Further, co-accused Kuldeep has been granted regular bail by the learned Additional Sessions Judge, Narnaul, vide order dated 23.06.2025, passed in BA-498-2025 (Kuldeep v. State)(Annexure A 2).

(iii) It is further submitted that the appellant has been falsely implicated in the present case by the complainant in collusion with the local police. At the initial stage, appellant was not even named in the FIR, and his alleged involvement is only on the basis of disclosure statement of a co accused, which by itself is weak and inadmissible evidence. The FIR is alleged to have been lodged on wrong facts with a view to harass and humiliate the appellant. It is also pointed out that the case of the appellant stands on a lower footing than that of co-accused Rakshak Lamba and Devender Singh, both of whom have already been granted anticipatory bail by this Court.

Furthermore, the applicability of provisions of the SC/ST Act at this stage is uncertain and can only be adjudicated by the trial court after evidence is led by the prosecution. The appellant is ready and willing to join the investigation and extend full cooperation. Accordingly, prayer is made for grant of concession of anticipatory bail to the appellant.

(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 19.11.2025.

(vii) Meanwhile, the appellant is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the appellant shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The appellant 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 appellant 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, appellant would seek prior permission of the Court.

To be heard along with CRA-S-2549-2025. ”

3. Continuing his submissions, learned counsel for the appellant contends that in compliance to the order dated 17.09.2025 passed by this Court, appellant has joined the investigation on 05.11.2025.

4. Learned State counsel has filed status report in the Court today, which is taken on record. He on instructions from ASI Sneh Lata confirms the said averment made by counsel for the appellant of joining the investigation on 05.11.2025 by the appellant, and submits that as of now, custodial interrogation of the appellant is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, appellant has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 17.09.2025 passed by this Court is hereby made absolute. Accordingly, present appeal is allowed.

However, appellant 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.

19.11.2025

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(SANJAY VASHISTH)
JUDGE

Whether Speaking/Reasoned:
Whether Reportable:

~~YES/NO~~
~~YES/NO~~