



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

221

**CRM-M No.58373 of 2024
Date of decision: 15.01.2024**

SATNAM SINGH AND ANOTHER

.... Petitioners

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Rajesh Khandelwal, Advocate for the petitioners.

Mr. Neeraj Poswal, A.A.G., Haryana.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), is for grant of anticipatory bail to the petitioners in case FIR No.241 dated 04.08.2024 initiatlly registered under Sections 126(2), 127(2), 190, 191(1), 310(2), 351(2), 49, 54 and 305(A) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') (later on Section 310(2) of BNS deleted and Section 305(A) of BNS added) at Police Station Kalan Wali, District Dabwali.

2. Vide order dated 22.11.2024, passed by this Court, the petitioners were granted interim bail and were directed to join investigation. Order dated 22.11.2024, passed by this Court, reads as under:

“The instant petition has been filed by the petitioners for grant of anticipatory bail in case arising out of FIR No.241 dated 04.08.2024 initiatlly registered under Sections 126(2), 127(2), 190, 191(1), 310(2), 351(2), 49, 54 and 305(A) of Bharatiya Nyaya Sanhita, 2023 (for short-'BNS') (later on Section 310(2) of



BNS deleted and Section 305(A) of BNS added) at Police Station Kalan Wali, District Dabwali.

Brief facts of the case relevant for the purpose of disposal of the this petition are that the aforementioned FIR was registered on the basis of written complaint submitted by the complainant- Nand Lal Grover alleging therein that he was a follower of Mastana Shah, Balochistan Aashram, Dera Jagmalwali, District Sirsa for the last 46 years. Sant Bahadur Chand, Mehant of Dera Jagmalwali had executed a Will in favour of Varinder Singh son of Miya Singh thereby, bequeathed the Gaddi of the dera in his favour on 17.02.2023. He died on 01.08.2024. On the same day, at the time of performing last rites and ceremonies of Sant Bahadur Chand, when several followers had gathered at the dera, then accused Amar Singh Bishnoi Chautala along with the petitioner and co-accused reached there and started instigating followers of the dera against the petitioner and Varinder Singh and other trustees thereof. Thereafter, the petitioners along with the co-accused opened an attack upon the Varinder Singh and Balkar Singh while being armed with lathi and iron rod and other weapons. Balkar Singh suffered fracture. His licensed pistol was also snatched by the assailants. On the same day, at about 2:30 pm when the complainant was present inside the office of the administration block, the petitioner and other accused also reached there and encircling the office, threatening to kill them and tried to drag him out of room and it was with great difficulty



that the petitioner was rescued. While alleging that the petitioners along with the others were uploading videos on social media thereby criminally intermediating Varinder Singh and others and had been creating hindrance in the working of the trust of dera and had wrongfully confined him, prayed for taking action against the petitioners. Apprehending their arrest, the petitioners had moved an application for grant of anticipatory bail which had been dismissed by the Court of learned Additional Sessions Judge, Sirsa vide order dated 30.10.2024.

It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. In fact, on 01.08.2024, a written complaint was filed by petitioner No.1 against the complaint and others on the allegations that they had opened attack upon him and had tried to kill him and his companions and they were compelled to open fire in the air for self defence. FIR of that case had been registered on 04.08.2024. The FIR No.241 is a counter blast to the same and had been registered to exert pressure upon the petitioners and others members of their party. They are ready to join the investigation. Their custodial interrogation is not required. No useful purpose would be served by detaining them in custody. No recovery is to be effected from them. Therefore, is urged that they deserve to be extended benefit of pre-arrest bail.

Notice of motion.



Learned State counsel who has appeared on advance notice of the petition seeks time to file status report. It is however, argued by him that there are serious allegations against the petitioners.

Adjourned to 19.12.2024

In the meantime, the petitioners are directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of their arrest, the Investigating/Arresting Officer shall release the petitioners on ad-interim bail subject to his/her satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioners have joined investigation and they are not required for custodial interrogation.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 22.11.2024, granting interim bail to the petitioners, is made absolute, subject to compliance of usual terms and conditions requisite for grant of anticipatory bail.

15.01.2025

Jyoti-IV

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No