



CRM-M-62518 of 2025

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

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CRM-M-62518 of 2025
Date of Decision: 21.11.2025

Harpinder Singh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Ms. Shifa Kler, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Haryana.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.259 dated 25.07.2017 registered under Sections 427, 447, 506 and 120-B of IPC, at Police Station Sadar Tohana, District Fatehabad.

2. Brief facts as per the case of the prosecution are that the an FIR was registered on the basis of complaint moved by the complainant-Sucha Singh who alleged that on 24.07.2017 at about 6.00 pm, the petitioner Harpinder Singh along with co-accused Sarabjit Singh etc. in conspiracy with each other while armed with ammunition committed criminal trespass by entering into the land which was in possession daughter of the complainant and committed mischief by ploughing the crop.

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3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. She further submits that after the registration of the FIR and presentation of challan, the petitioner was granted bail and he was regularly appearing before the trial Court. Due to registration of the FIR, he became mentally disturbed and left home for an unknown destination. He was traced and brought back home at the end of the year 2024 from Haridwar, where he had become a Sadhu. It is argued that upon his return the petitioner was found to be suffering from Hepatitis and HIV-positive, for which he is still undergoing treatment. Learned counsel further submits that, considering the petitioner's deteriorated medical condition, the matter has been compromised between the complainant and the petitioner and a CRM-M-52662-2025 for quashing of the present FIR on the basis of compromise has already been filed. She argues that petitioner's absence was neither intentional nor deliberate, but solely due to compelling circumstances arising out of his mental instability and subsequent illness. Learned counsel has further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency.

4. Notice of motion.

5. Learned State counsel, who has appeared on advance notice of the petition, has opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the petitioner has intentionally absented himself from the trial and does not deserve any leniency. However, he has not controverted the fact that a petition for quashing the present FIR on the basis

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of compromise has already been filed which is pending before this Court.

6. In the present case, the petitioner is suffering from life threatening ailments i.e. Hepatitis and HIV-positive status. As argued on behalf of the petitioner, the matter has already been compromised between the parties. In these circumstances, no useful purpose would be served by sending the petitioner behind bars. Taking a lenient and humanitarian view, this Court deems it appropriate to grant the relief sought.

7. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS, 2023.

(RUPINDERJIT CHAHAL)
JUDGE

21.11.2025
D.Bansal

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