



CRA-S-406-2026 (O&M) 1

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

Sr.No.205

**CRA-S-406-2026 (O&M)
Decided on : 25.03.2026**

Tasim and another

..... Appellants

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present : Mr. Inderjeet Singh, Advocate
for the appellants.

Ms. Shaveta Sanghi, DAG, Haryana.

Sh. Ravi Malik, Advocate
for respondents No.2 and 3.

RUPINDERJIT CHAHAL, J (ORAL)

1. The instant appeal is directed against the order dated 02.02.2026, passed by the Court of learned Additional Sessions Judge (Exclusive Court for Heinous Crime against Women), Yamuna Nagar at Jagadhri, dismissing the application of the appellants for grant of anticipatory bail in case FIR No.293 dated 21.12.2025, registered under Sections 191(3), 190, 115(2), 351(2), 140(1), 126(2), 324(4), 238(b), 61(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Chhachhrauli, District Yamuna Nagar.



2. The brief facts as per the prosecution case are that the appellants alongwith other co-accused armed with pistol, wooden dandas, iron rods, gandasis etc. attacked the complainant's vehicle; damaged it; forcibly dragged the complainant and his wife out of the car and assaulted them; beaten the complainant's sister and also threatened to kidnap and kill the complainant's wife. Hence, the present FIR.

3. Learned counsel for the appellant contends that the appellants are innocent and have been falsely implicated in the present case. He further contends that the appellants are not named in the FIR and have been nominated as accused only on the basis of disclosure statement of co-accused and it is a trite law that disclosure statement of the co-accused during his custodial interrogation is not admissible. He further submits that no offence under Section 140(1) of BNS, 2023 and 3(1)(r) and (s) of SC/ST Act is made out. Learned counsel submits that the matter has been compromised between the parties. The appellants have clean antecedents. No recovery is to be effected from them. 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. On the other hand, learned State counsel has vehemently opposed the prayer for grant of bail to the appellants by stating that the offence committed by the appellants is serious in nature. She submits that she is not aware of any compromise effected between the parties. However, she has not controverted the fact that the appellants are the first time offender as they are not involved in any other case.

5. Sh. Ravi Malik, Advocate has appeared and filed power of attorney on behalf of respondents No.2 and 3 which is taken on record. He



does not dispute the factum of compromise and submits that he has no objection if the prayer of the appellants for grant of anticipatory bail is allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the material placed on record.

7. In the present appeal, it is not disputed that initially the appellants were not named in the FIR and they have been nominated as accused only on the basis of disclosure statement(s) of co-accused. Further, the appellants have clean antecedents and compromise has already been effected between the parties. In these circumstances, without commenting upon the merits of the case, this Court is of the considered view that the appellant has made out a case for grant of pre-arrest bail.

8. Consequently, in view of the facts and circumstances of the present case and the law laid down by the Apex Court, the present appeal is allowed, the impugned order passed by the Additional Sessions Judge (Exclusive Court for Heinous Crime against Women), Yamuna Nagar at Jagadhri, is set aside, and the appellants are ordered to be released on anticipatory bail in the event of their arrest, subject to their furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer and subject to the conditions as envisaged under Section 482(2) BNSS.

9. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

25.03.2026
mamta

(RUPINDERJIT CHAHAL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No