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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**CRM-M-19657-2026 (O&M)**

Date of Decision: 12.05.2026

JAI SHIVAM

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Dr. Anmol Rattan Sidhu, Sr. Advocate
with Mr. Pranshull Dhull, Advocate
for the petitioner.

Mr. Amish Sharma, A.A.G., Haryana.

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.26 dated 21.02.2026, under Sections 110, 115(2), 126(2), 190, 191(3), 351(2) of the BNS, 2023 (u/ss 308, 323, 339, 341, 146, 148, 506 of IPC) at Police Station Loharu, Bhiwani.

2. After hearing the submissions made in the present petition filed by the accused, Jai Shivam, the following order was passed on 09.04.2026:

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of

anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First In-formation Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Jai Shivam, aged about 26 years	26	21.02.2026	110, 115(2), 126(2), 190, 191(3), 351(2) of the BNS, 2023 (corresponding to sections 308, 323, 339, 341, 146, 148, 506 of IPC).	Loharu	Bhiwani

2. Complainant – Sandeep, got registered the FIR, which reads as follows:-

“I am a resident of the above address and I work as a farmer, I am married but I am divorced from my wife, I do not have any children, my father is alive and mother is dead, yesterday on 20.02.2026 in the even-ing I had come to visit Shiv Mandir pond in Pilani Road Loharu, at around 6.30 pm Vikrant Maan resid-ent Laad came to me in the temple and said that I want to come out of the temple once and talk to him, on his saying I came out of the temple, after coming out a black colour Scorpio car was parked from which three boys got down, one's name was Kala son of Dhanaram resident of Fartiya, the other's name was Ajay resident of Fartiya and I do not know the names and addresses of the other two boys, all of them were holding iron rods in their hands They all caught hold of me and inflicted deep injuries on my hands and legs with an iron rod. Then all of them deliberately broke my hands and legs by holding them. They again hit the broken legs with the rod, inflicting severe in-juries and breaking the bones. Then Il was shouting loudly for help, then they told me that they will kill me today, then all of them sat in a Scorpio car and fled from the spot, I do not know the number of the Scor-pio car, all of them blocked my way,

beat me up, in-tentionally caused me serious injuries and threatened to kill me, then I called on 100 number and called my brother Attar Singh, Jagveer son of Jagdev resident of present Loharu took me to CHC Loharu for treatment, from there Dr. Sahib referred me to GH Bhiwani. from GH Bhiwani I was referred to PGIMS Rohtak, but I started having severe pain in my hands, legs and waist, my brother Attar Singh had reached there, my brother Attar Singh got me admitted to Jangra Multis-peciality Hospital Bhiwani for treatment, now I am undergoing treatment here, I request you to take strict legal action against the above mentioned persons, now I have given you the statement in front of my brother Attar Singh I got it written and read it, that's fine."

3. *Reading from the version set out in the FIR, learned Senior Counsel for the petitioner submits that the alleged incident occurred at about 6:30 PM at Shiv Mandir Pond on Pilani Road, Loharu. As per the allegations, names of three accused—Vikrant Maan, Kala, and Ajay—are specifically mentioned therein. Apart from them, two other persons were also allegedly present in a Scorpio vehicle; however, their names have not been mentioned in the FIR.*

It is further argued that no specific injury has been attributed to the unknown accused persons, including those who were allegedly oc-cupying the Scorpio vehicle, except for a general and omnibus allegation that all of them inflicted injuries on the hands and legs of the complainant with iron rods.

4. *Learned counsel further submits that the motive is primarily attributable to the main accused-Vikrant Maan. It is contended that the iron rods were recovered only upon his arrest, and it is on the basis of his disclosure statement that petitioner has been implicated in the present case. Petitioner is stated to be completely innocent and has no connection*

with the alleged crime.

It is further submitted that petitioner is ready and willing to join the investigation and to fully cooperate with the investigating agency, provided he is granted protection from arrest by this Court. Thus, learned Senior counsel prays for grant of anticipatory bail to the petitioner in the present case.

5. *Notice of motion.*

6. *On advance notice, Mr. Parveen Kumar Aggarwal, Addl. AG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

7. *Adjourned to 12.05.2026.*

8. *Let a status report be filed by learned State counsel, detail-ing therein the substantive evidence, apart from the disclosure statement, to establish the presence and association of the petitioner with the main accused, namely Vikrant Maan, Ajay, and Kala, at the time of the incident or immediately prior thereto.*

9. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

10. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he pos-sesses. 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, petitioner would seek prior permission of the Court.”

3. Continuing the submissions, learned counsel for the petitioner submits that in compliance with the directions issued by this Court on 09.04.2026, the petitioner has joined the investigation. Moreover, the name of the petitioner was not mentioned in the FIR. Thus, he prays that the order dated 09.04.2026 be made absolute and the present petition be allowed.

4. On the other hand, learned counsel for the respondent-State, on instructions from S.I. Rohtash Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 02.05.2026; however, he submits that the petitioner did not cooperate during the investigation.

5. Status report by way of an affidavit on behalf of the respondent-State has been filed. The same is already on record. Registry is directed to tag the same at appropriate place.

6. I have considered the submissions addressed by the learned respective counsel.

7. In view of the fact that despite being specifically asked by the Court, the learned State counsel could not give any satisfactory reason as to for what purpose, the custodial interrogation or further investigation of the petitioner-Jai Shivam, is required, except stating that the details of the fifth co-accused are yet to be ascertained. Once the main accused, namely Vikrant Maan and Kala, have already been arrested and might have been interrogated during their remand period, the objection raised by the learned State counsel

is of no substance.

8. In view of this, the ad-interim bail order dated 09.04.2026 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

9. The petitioner 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.

10. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

11. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

May 12, 2026

gurpreet

(SANJAY VASHISTH)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No