



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

CRM-M-24434-2026

Date of decision: 01.05.2026

NITESH KUMAR

....Petitioner

Versus

STATE OF HARYANA AND ORS.

....Respondents

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Vikram Rathore, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, Sr. DAG Haryana.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.22 dated 22.01.2026 registered under Sections 105, 125(a) and 125(b) of the Bharatiya Nyaya Sanhita, 2023, at Police Station City Bahadurgarh, District Jhajjar.

2. Brief facts as per the prosecution case are that fire broke out in the factory of the petitioner, because of which, brother and cousin of complainant died as the petitioner negligently locked the door of the factory from outside. Hence, the present FIR.

3. At the very outset, learned State counsel has brought to the notice of this Court that earlier vide order dated 11.03.2026 the anticipatory bail of the petitioner was dismissed by this Court on merits



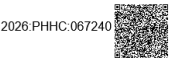
and there are no new grounds raised by the petitioner in the present petition. Hence, he prays for dismissal of the petition.

4. Learned counsel for the petitioner though admits that his earlier bail was dismissed on merits, however, he submits that there are changed circumstances after the dismissal of the previous bail application as the injured eye-witness namely Arif and the complainant has submitted their affidavits Annexure P-7 and P-8 to submit that petitioner was not present at the premises at the time of the incident and further that the matter has been compromised between the parties.

5. Learned State counsel has rebutted the arguments of the learned counsel for the petitioner. He submits that the present FIR is registered under Sections 105, 125(a), and 125(b) of the BNS, 2023 (erstwhile Sections 336, 337, and 304 IPC), and that a compromise cannot be effected under Section 125(b) BNS (Section 304 IPC). Therefore, custodial interrogation of the petitioner is required. He further submits that two persons lost their precious lives in the incident due to the negligence on the part of the petitioner, and that, this being the second bail application before this Court, the same is not maintainable.

6. Heard.

7. A perusal of the order dated 11.03.2026 vide which the earlier bail application of the petitioner was dismissed, it is forthcoming that this Court had dismissed the earlier bail application after considering the argument of the petitioner that he was out of station on the day of occurrence, hence, the affidavits i.e. Annexure P-7 and P-8 would not help the cause of the petitioner. Further, the present FIR is under Section



125(b) BNS (304 IPC), hence, the question of compromise between the parties does not arise at all.

8. In view of the above, finding no merit in the present petition the same is hereby dismissed.

01.05.2026	(RUPINDERJIT CHAHAL)
puneet	JUDGE
i) Whether speaking/reasoned?	Yes/No
ii) Whether reportable?	Yes/No