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

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Vineet Arora

....Petitioner

V/s

State of Haryana

....Respondent

**Date of decision: 19.05.2026****Date of Uploading : 19.05.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Shubham Bhardwaj, Advocate for the petitioner.  
Mr. Gurmeet Singh, AAG Haryana.  
Mr. Shubhkarman Singh Gill, Advocate for the complainant.

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**SUMEET GOEL, J. (Oral)**

1. The present petition is the second attempt under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.0019 dated 21.01.2026, registered for the offences punishable under Sections 191(3), 190, 140(3), 115, 351(3) of BNS, 2023 at Police Station Ambala City District Ambala.

The petitioner had earlier applied for grant of pre-arrest/anticipatory bail before this Court which was dismissed as withdrawn on 22.04.2026. The relevant part of said order reads as under:-

*"3. Learned counsel appearing for the petitioner, after arguing for some time, seeks to withdraw the petition in hand.*

*4. Ordered accordingly."*

Thereafter, the present petition i.e. the second petition for grant of anticipatory/pre-arrest bail has been preferred by the petitioner on 04.05.2026.

2. As per the allegations in the FIR, complainant namely Gaurav

has alleged that he was engaged in the business of stone crushing under the

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name and style of 'Mahan Stone Crusher' on 19.01.2026, the petitioner Vineet Arora had telephonically called him and asked him to come to Ambala on 20.01.2026 for the execution of a settlement agreement pertaining to their partnership dispute regarding the crusher business. It has been further alleged that on 20.01.2026 at about 5:15 PM, when the complainant reached Kalka Chowk, Ambala in his Thar vehicle along with one Sandeep Singh, the petitioner along with co-accused arrived there in multiple vehicles. As per the complainant, the petitioner and co-accused allegedly forced him to sign certain papers at gunpoint. Upon his refusal, the petitioner allegedly pointed a pistol towards the complainant and threatened to kill him. Under fear, the complainant allegedly signed the documents without reading them. Thereafter, the complainant was allegedly dragged out of the vehicle and assaulted by the accused persons with fists, kicks, sticks, swords and other weapons. It has been further alleged that the complainant and his companion namely Sandeep Singh were mercilessly beaten and thereafter the complainant was forcibly abducted in a vehicle and taken towards Punjab with the intention to kill him. During the course of the incident, the mobile phones of the complainant and his companion namely Sandeep Singh were allegedly snatched. It has been further alleged that the accused persons forcibly took the complainant to Samana, Punjab and extended threats to him as also to the lives of his family members. The complainant has further alleged that after reaching Police Station City Samana, he narrated the occurrence to the SHO, who advised him to first obtain medical treatment. Thereafter, the accused persons allegedly left him at Rajpura in an injured condition. Upon checking his vehicle later, the complainant allegedly found that his passport and cash amounting to

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Rs.1,68,000/- were missing. On these set of allegations, the present FIR came to be registered.

3. Learned counsel for the petitioner has iterated that the petitioner has been falsely implicated into the FIR in question on account of previous monetary disputes between the parties. Learned counsel has further iterated that the complainant and his brother has duped the family of the petitioner of a huge amount on the pretext of arranging visas and employment for the sisters of the petitioner in the United States of America. In this regard, FIR No. 15 dated 22.01.2026 at Police Station City Samana, District Patiala and FIR No.133 dated 17.03.2026 under Section 64 BNS at Police Station Rudrapur, District Udham Singh Nagar, already stand registered against the complainant and his brother on the allegations levelled by the sisters of the petitioner regarding cheating and sexual assault. According to learned counsel, the present FIR is a counterblast to the said proceedings. It has further been argued that the complainant has never been kidnapped but had voluntarily gone to the Police Station City Samana on account of his illegal acts. It has been further contended that the injuries suffered by the complainant are simple in nature and hence no custodial interrogation of the petitioner is required. Learned counsel has pointed that the co-accused have already been granted the concession of anticipatory bail by the competent Court and on this premise, the petitioner prays that he is also entitled to the same relief and claims parity. Furthermore, the petitioner is a law student pursuing his BBA.LLB. and his academic career would be adversely affected in the event of his arrest. Moreover, no recovery is to be effected from the petitioner and that the allegations are omnibus in nature. Learned counsel has asserted that the petitioner is ready



to join the investigation and hence no useful purpose would be served by sending him behind the bars. On the basis of the aforementioned submissions, the grant of the instant petition is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the present petition is not maintainable, as it constitutes a second petition for anticipatory bail, without there being any substantial change in circumstances, thereby failing both on procedural grounds and on merits. Learned State counsel has submitted that the first petition was dismissed as withdrawn as early as on 22.04.2026 before this Court and neither any prayer was made nor was any liberty was granted to the petitioner to file afresh with better particulars. Accordingly, the State counsel has argued that the instant petition deserves dismissal on this score alone. Learned State counsel, opposing the plea in hand, on merits, has iterated that the allegations levelled against the petitioner are serious, grave and disclose the commission of cognizable offences. Learned State counsel has further contended that the petitioner has been specifically named in the FIR and attributed a direct and active role in the commission of the offences. The allegations against the petitioner are not vague or general in nature. According to learned State counsel, the petitioner is alleged to be the main accused who lured the complainant to Ambala under the pretext of settlement; pointed a firearm at him; forcibly obtained signatures on the documents and extended threats. Furthermore, the medical examination corroborates the allegations regarding physical assault. It has been contended that the investigation is at a crucial stage and the custodial interrogation of the petitioner is necessary for recovery of the stolen articles



including passport, cash amount and for unearthing the complete conspiracy as well as the role of all accused persons.

4.1. Learned counsel appearing for the complainant has opposed the grant of anticipatory bail to the petitioner and has raised submissions in tandem with the learned State counsel

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. It would be apposite to refer herein to a judgment passed by this Court in a titled as ***Bhisham Singh vs. State of Haryana, 2024(3) RCR(Criminal) 65***, relevant whereof reads as under:-

*“11. As an epilogue to the above rumination, the following principles emerge:*

*I Second/successive anticipatory bail petition(s) filed under Section 438 of Cr.P.C., 1973 is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.*

*II Such second/successive anticipatory bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.*

*III For the second/successive anticipatory bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice.*

*IV No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Accordingly, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive anticipatory bail petition(s).*

*V In case a Court chooses to grant second/successive anticipatory bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words,*



*the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.*

*VI Once a plea for anticipatory bail has been dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or dismissed on merits by the High Court, no second/successive anticipatory bail petition(s) shall be entertained by a Sessions Court.”*

7. The present petition is a second petition for grant of anticipatory bail by the petitioner. A second anticipatory bail petition is indeed maintainable under law; however, it requires demonstration of a substantial change in circumstances since the earlier petition. It is a settled proposition of law that such a change must be significant and not merely superficial or technical, to warrant reconsideration. This standard ensures that the remedy of successive bail petitions is not misused through repeated filings but is available when new and material factors arise that alter the initial assessment of the case. The first anticipatory bail filed by the petitioner was dismissed as withdrawn on 22.04.2026. The instant petition i.e. second petition for grant of anticipatory bail has been filed thereafter on 04.05.2026. No fresh substantial change in circumstance has been brought forward which would indicate that the petitioner is entitled to maintain his second petition for grant of anticipatory bail. From the entire factual conspectus brought forward in the present petition, no fresh ground or circumstance is made out so as to enable the petitioner to file and maintain the second anticipatory bail petition. However, since the first anticipatory bail petition was dismissed as withdrawn and there was no adjudication on merits thereof, this Court deems it appropriate to decide the instant one on merits thereof as well.



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8. Apart from it being second anticipatory bail, as per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. As per the version put forth by the prosecution, the allegations against the petitioner are not merely omnibus in nature. The petitioner is stated to have called the complainant to Ambala; pointed a gun at the complainant; compelled him to sign documents under threat & participated in the assault, abduction and criminal intimidation. The allegations against the petitioner are specific, direct supported by the medical evidence placed on record, which *prima facie* corroborate the occurrence. The plea of the petitioner that the complainant has voluntarily been taken to the police station and was not kidnapped is a disputed question of fact which cannot be conclusively adjudicated upon at the stage of consideration of plea for anticipatory bail. The allegations contained in the FIR cannot be brushed aside as vague or baseless as the record reveals that the petitioner is the main accused who lured the complainant, threatened him at gunpoint and actively participated in the entire occurrence. As regards plea of parity, it is well settled that parity is not an absolute principle and depends upon the role, antecedents and overall circumstances of each accused. The role of the petitioner is still under investigation and cannot be equated with that of other co-accused who have been granted bail. As regards plea of parity, it is well settled that parity is not an absolute principle and depends upon the role, antecedents and overall circumstances of each accused. The role attributed to the present petitioner appears to be distinct and more prominent and cannot be equated with that of other co-accused who have been granted the concession of bail. It is well settled that parity is not an absolute principle and depends upon the role and



overall circumstances of each accused. The grant of anticipatory bail to a co-accused does not automatically confer a right upon the petitioner to seek similar relief particularly when the nature of allegations as also the fact that this Court has already declined such relief earlier. The investigation is still underway and custodial interrogation cannot be said to be unwarranted at this stage. The argument regarding the petitioner being a law student and facing academic hardship cannot outweigh the gravity of the allegations. No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

9. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

*“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is*





*well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders.”*

10. Considering the totality of the facts and circumstances; the nature and gravity of allegations; the specific role attributed to the petitioner; the stage of investigation and absence of any substantial change in circumstances since withdrawal of the earlier anticipatory bail petition, this Court finds no compelling ground to extend the benefit of anticipatory bail to the petitioner.

11. In view of the prevenient ratiocination, it is ordained thus:
- (i) The instant petition is devoid of merits and is hereby dismissed.
  - (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
  - (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)  
JUDGE

May 19, 2026  
Ajay

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