



**In the High Court for the States of Punjab and Haryana at
Chandigarh**

101

CRM-M-25936-2026 (O&M)

Date of Decision:- 08.05.2026

Aaish

... Petitioner

Versus

The State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Sanpreet Sandhu, Advocate, for the petitioner.

Mr. Satbir Singh Goripuria, DAG, Haryana.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (for short - 'the BNSS') has been filed for grant of anticipatory bail to the petitioner in case bearing FIR No.36 dated 22.02.2026, under Sections 110, 115, 190, 191(3) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short - 'the BNS') registered at Police Station Buria, District Yamuna Nagar.

2. Brief facts of the case are that on 21.02.2026, Aniket along with Shubham and Umesh Kumar went to take milk from Gaba Dairy, Buria. Divyanshu and Harsh were also present there. In the meantime, 10/15 persons including Kamal armed with brick, Tayyab armed with iron rod, Rihaan @ Shaka, Sahil and Raja @ Aaish (present petitioner) came there on 7/8 motorcycles and caught hold of Divyanshu. When Shubham and Harsh tried to rescue Divyanshu, all the aforesaid persons raised lalkara and launched a brutal attack upon them. Some of them were armed with rod and bricks. All



the accused persons formed unlawful assembly and caused injuries to the complainant and other injured persons in furtherance of their common object.

3. Learned counsel for the petitioner prayed for concession of anticipatory bail to the petitioner on the following grounds:

- i. That the petitioner has been falsely implicated in the present case;
- ii. That no specific role has been attributed to the petitioner;
- iii. Nothing is to be recovered from the present petitioner;
- iv. Case of the petitioner is on better footings to that of co-accused Kamal, who has already been released on regular bail by this Court vide order dated 20.04.2026; and
- v. The petitioner is ready and willing to join the investigation.

4. Notice of motion.

5. Mr. Satbir Singh Goripuria, DAG, Haryana, accepted notice on behalf of the respondent-State and opposed the prayer made by learned counsel for the petitioner on the following grounds:

- i. That the petitioner was a member of unlawful assembly;
- ii. That name of the petitioner is specifically mentioned in the FIR as Raja as actual name of the petitioner is Aaish @ Raja;
- iii. The petitioner has actively participated in the commission of alleged offence under Section 110 of BNS, which is serious in nature; and
- iv. Custodial interrogation of the petitioner is necessary to unearth the true facts of the case and for proper investigation in the matter;



6. Heard.

7. After considering the rival submissions of learned counsel for the parties and the facts and circumstances of the case, this Court finds no merit in the present petition on the following grounds:

- i. The allegations against the petitioner are serious in nature, as he has actively participated in the alleged commission of offence;
- ii. The name of petitioner is specifically mentioned in the FIR; and
- iii. Custodial interrogation of the petitioner is necessary to unearth the true facts of the case and for proper investigation of the case.

8. Considering the seriousness and the manner in which offence has been committed, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner, as anticipatory bail is a discretionary relief, which can be granted only in extra-ordinary circumstances only when it would not impede investigation or progress of the case.

9. Hon'ble Supreme Court has emphasised the importance of custodial interrogation in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 63806***' decided on 03.08.1997, by holding that many useful informations and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

10. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and therefore, the present petition stands dismissed.



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11. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

08.05.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No