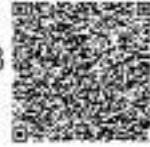


2026 PHHC 080773



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

205

CRM-M-26847-2026

Date of decision: 21<sup>st</sup> May, 2026

Harmanjot Singh @ Harman and another

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. S.P. Soi, Advocate for the petitioners.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Sandeep Kumar, Advocate for the complainant.

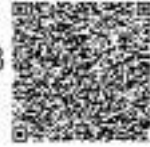
\*\*\*

**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 28 dated 15.02.2026 registered under Sections 304, 3(5) and 309(4) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sadar Nakodar, District Jalandhar Rural.

2. The aforementioned FIR has been registered on the basis of the statement made by the complainant Jeevan Kumar, alleging therein that on 15.02.2026, he was returning home on his motorcycle after supplying milk. His son Jatinder Kumar and nephew Sunny Kumar, who were on separate motorcycles were also coming back after supplying the milk and were

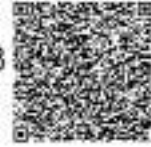
2026 PHHC 080773



following the complainant. While on the way, accused Vijay along with two other persons came on a motorcycle and caused obstruction in front of his motorcycle with their vehicle, thereby compelling the complainant to stop. They caught hold of him. One of them was armed with a *datar*. They took out cash amount of Rs.15,000/- kept in the pocket of his jacket. His son and nephew reached the spot in the meanwhile. Accused Vijay and his accomplices had a scuffle with them. The complainant and his companions caught hold of accused Vijay, who had fallen on the ground and had also sustained some injuries in the scuffle, whereas his accomplices managed to flee with the money allegedly snatched from the complainant. On asking, the accused Vijay disclosed the names of his accomplices as Harman i.e. the petitioner and Sach. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which was dismissed by the Court of learned Additional Sessions Judge, Jalandhar, vide order dated 11.03.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in the present case. In fact, he has no nexus with the alleged incident. His name had been disclosed by the co-accused whose statement amounts to disclosure statement and cannot be considered to be admissible in evidence. Learned counsel for the petitioner has further submitted that a compromise has been arrived at between the petitioner and complainant and the complainant has no objection, if the petitioner is extended the benefit of

2026 PHHC 080773



bail. A compromise deed has also been signed by the complainant. The FIR was registered due to a misunderstanding. Custodial interrogation of the petitioner is not required. No recovery is to be effected from him. He is ready to join the investigation. The compromise effected between the parties amounts to change in the circumstances and it is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel while relying upon the status report, has argued that taking into consideration the gravity of the allegations levelled against the petitioner and for effecting recovery of the amount of Rs.15,000/-, custodial interrogation of the petitioner is required. No exceptional or extraordinary circumstance has been made out in favour of the petitioner for grant of anticipatory bail. Therefore, it is stressed that the petition does not deserve to be allowed.

5. Mr. Sandeep Kumar, Advocate has put in appearance on behalf of the complainant and has filed his *vakalatnama*. He has affirmed the factum of compromise having arrived at between the parties and has submitted that the complainant has no objection, if the present petition is allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner, along with the co-accused is alleged to have snatched money from the complainant on 15.02.2026. Though, for the purpose of this petition, no relevance can be given to the factum of any

2026 PHHC 080773



compromise having taken place between the petitioner and the complainant, however, given the nature of the allegations and the circumstances peculiar to the case, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required in this case. It is a well-settled proposition of law that pre-trial incarceration should not be a replica of a post-conviction sentence. In view of the above-discussed facts, the petition is allowed and subject to petitioner’s surrendering before the Investigating/Arresting Officer to join investigation within 10 days from today and subsequent also as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS.

8. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

9. Since the main petition has been allowed, pending application if any is rendered infructuous.

[MANISHA BATRA]  
JUDGE

21<sup>st</sup> May, 2026  
Parveen Sharma

- |                               |   |          |
|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |