

2026:PHHC:086758



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

**CRM-M-32921-2026 (O&M)
DECIDED ON: 05.06.2026**

AASIN AND ORS.

.....PETITIONER(S)

VERSUS

STATE OF HARYANA

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Saleem Ahmed, Advocate for the petitioner(s)
(through Hybrid Mode)
Ms. Ruchi Sekhri, Addl. A.G., Haryana
Mr. Sunil Sihag, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 (438 Cr.P.C.) for grant of anticipatory bail to the petitioner in F.I.R No. 153 dated 31.05.2022 Under Section 148, 149, 323, 324, 325, 506, 452, later on added 307 in 2026 of IPC (191(B), 190, 115(2), 118, 117(2), 351(2), 333, 109 of BNS) registered at Police Station City Nuh district Nuh, (Haryana) (Annexure P-1).

2 Contention

On behalf of the petitioner

Learned counsel for the petitioners has argued that the petitioners had already been granted anticipatory bail vide order dated 24.05.2023. It is submitted

that now, merely on account of a subsequent re-opinion, Section 307 IPC has been added by the police. Learned counsel further submits that the petitioners have duly joined the investigation and nothing remains to be recovered from his possession. It has also been contended that the petitioners have been regularly appearing before the learned trial Court and there is no likelihood of their absconding or evading the process of law. It is further argued that the alleged recovery is not attributable to the present petitioners but to one Deenu, and therefore, the petitioners are entitled to the concession of bail.

Notice of motion.

On behalf of the State/ complainant

On the asking of Court, Ms. Ruchi Sekhri, Addl. A.G., Haryana, accepts notice on behalf of respondent/State. She along with learned counsel for the complainant oppose the prayer made by learned counsel for the petitioners on the ground that injured Sakir received serious injuries on his body and therefore, Section 307 IPC has been attracted.

3. **Analysis**

Be that as it may, it is not even the case of the complainant that any of the petitioners have been attributed injury on the head so as invite Section 307 at such a belated stage. Moreover, the addition of Section 307 IPC at such a belated stage, i.e. after more than three years from the date of the incident, raises serious considerations, particularly when the earlier medical opinion did not attract the said offence. This Court further finds that no satisfactory explanation has been placed on record as to what transpired during the re-examination process which ultimately led to the changed medical opinion rendered in January, 2026.

This Court is of the considered opinion that the petitioners have succeeded in making out a case for the grant of anticipatory bail.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioners, wherein they have *bona fide* intentions and are ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioners are directed to be released on anticipatory bail subject to their joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioners shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within a period of ten days, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

05.06.2026
anuradha

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>:Yes/No</i>
<i>Whether reportable</i>	<i>:Yes/No</i>