

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

2026:PHHC:086960



(117)

CRM-M-33188-2026 (O&M)

Date of Decision: 08.06.2026

Gajraj

.....PETITIONER

Versus

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MS. JUSTICE NEERJA K. KALSON

Present: Mr. Nafeesh Ahmed, Advocate
for the petitioner.

Ms. Vasundhra Dalal Anand, Sr. DAG, Haryana.

NEERJA K. KALSON, J. (ORAL)

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking concession of anticipatory bail in FIR No. 48 dated 20.04.2026 registered under Sections 333, 351(3) of BNS, 2023 (Section 109 of BNS, 2023 added later on) (corresponding Sections 452, 506 of IPC) and (Section 307 IPC added later on) and 25(1-B)(a) of Arms Act, registered at Police Station Bicchor, District Nuh (Annexure P-1).

2. Briefly stated, the allegations, as contained in the FIR, are that the complainant alleged that on 19.04.2026, while he was sitting in his house, the petitioner Gajraj came there, abused him and asked him to vacate the house. When the complainant objected, the petitioner allegedly threw a glass bottle towards him and thereafter fired a shot from a country-made

pistol with an intention to kill him. The shot allegedly missed the complainant. It is further alleged that upon hearing the noise of the gunshot, family members of the complainant reached the spot, whereupon the petitioner fled away after throwing the weapon at the place of occurrence. The police subsequently recovered the said weapon from the spot. On the basis of the aforesaid allegations, the present FIR came to be registered.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the allegations levelled against him are incorrect. Learned counsel further submits that no injury was suffered by the complainant and the entire case rests upon an allegation of a single shot which admittedly did not hit the complainant. It is argued that the petitioner himself sustained injuries in the occurrence and was medically examined at PGI Rohtak, where he was found to have suffered fractures. Learned counsel submits that the petitioner was granted interim anticipatory bail by the learned Additional Sessions Judge, Nuh vide order dated 02.05.2026 and, pursuant thereto, he joined the investigation. It is further argued that no recovery remains to be effected from the petitioner and he is ready and willing to cooperate with the investigating agency as and when required.

4. *Per contra*, learned State counsel opposes the present petition and submits that the allegations against the petitioner are serious in nature. It is contended that the petitioner is specifically named in the FIR and has been attributed the act of firing a shot at the complainant with a country-made pistol. Learned State counsel further submits that although the petitioner joined the investigation pursuant to the interim protection granted by the learned Court below, he failed to furnish any satisfactory explanation

regarding the country-made pistol allegedly recovered from the spot as well as the used cartridge. It is argued that the petitioner did not cooperate with the investigation in its true spirit and that his custodial interrogation may still be required for effective investigation of the case. Prayer is thus made for dismissal of the present petition.

5. I have heard learned counsel for the parties and have perused the paper-book.

6. The record reveals that the petitioner was granted interim anticipatory bail by the learned Additional Sessions Judge, Nuh vide order dated 02.05.2026 and, pursuant thereto, joined the investigation. The grievance of the investigating agency is not that the petitioner failed to join the investigation, but that he did not satisfactorily explain the circumstances relating to the country-made pistol allegedly recovered from the spot and the used cartridge.

7. The allegations levelled in the FIR are undoubtedly serious in nature and the petitioner has been specifically attributed the role of firing a shot towards the complainant. At the same time, it cannot be ignored that the petitioner has already joined the investigation pursuant to the interim protection granted by the Court below. Whether the explanation furnished by the petitioner is acceptable or otherwise is a matter which shall ultimately be examined during the course of investigation

8. Without expressing any opinion on the merits of the case, this Court is of the view that the ends of justice would be adequately served by granting the petitioner one final opportunity to cooperate with the investigation in its true letter and spirit.

9. Accordingly, the petitioner is directed to join the investigation within seven days from today and shall fully cooperate with the investigating agency. He shall truthfully answer all queries put to him and make himself available as and when required by the Investigating Officer

10. In the event the petitioner joins and cooperates with the investigation, he shall not be arrested in the present case. However, if he fails to join the investigation within the aforesaid period or is found not cooperating with the investigating agency, it shall be open to the Investigating Officer to seek appropriate orders in accordance with law and the interim protection granted by this Court shall stand vacated without any further reference to this Court.

11. Subject to the aforesaid directions, the present petition is allowed.

12. Nothing observed herein shall be construed as an expression on the merits of the case.

13. Pending application(s), if any, shall also stand disposed of.

(NEERJA K. KALSON)
JUDGE

08.06.2026
Atul

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