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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-42413-2025
Decided on: 14.05.2026

HAWA SINGH
.....Petitioner
Versus
STATE OF HARYANA
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Roja Agnihotri, Advocate,
for the petitioner.

Mr. Parveen Kumar Aggarwal, Addl. AG, Haryana.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Hawa Singh,aged about 41 years	0132	30.04.2025	305 of BNS, 2023	Rewari City	Rewari

2. On 21.04.2026, following order was passed:-

“1. xxxxxx xxxxx xxxxxx
2. After hearing the submissions addressed by counsel for the petitioner, on 06.08.2025, following order was passed:-
“1. xxxxx xxxxxx xxxxx
2. Learned counsel for the petitioner, inter alia, contends that petitioner is employed as a sewer man, and several officials of the Civil Hospital, where



the petitioner is currently posted, are allegedly attempting to remove the petitioner and his co-employee, namely Mahender, from service, by citing three purported eye-witnesses to the alleged incident of theft, namely, Rajesh (Sweeper), Vijay (Security Guard), and Harish (Security Guard).

3. *It is further submitted that the complaint regarding the alleged theft has been lodged by the Principal Medical Officer of the Civil Hospital with the ulterior motive of securing the removal of the petitioner and Mahender from their jobs, through which they earn their livelihood. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 23.09.2025.*

7. *Learned State counsel is directed to verify, how it is being asserted that three alleged eye-witnesses were actually present at the Civil Hospital at the time when the inverter was stolen with due certainty, and then to file a detailed status report in this regard.*

8. *In the meanwhile, petitioner shall not be arrested. However, issue of joining of investigation by the petitioner would be examined on the next date of hearing, after reviewing the status report, which is yet to be filed by learned State counsel.”*

3. *Today, counsel for the petitioner submits that petitioner has been falsely implicated in the present case. Moreover, recovery of the inverter has already been effected from the co-accused namely Mahender, who also stands arrested. Thus, custodial interrogation of the petitioner would not serve any meaningful purpose to the prosecution.*

Further argues that FIR has been registered with a motivated purpose to oust the petitioner from the service. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of anticipatory bail to the petitioner in the present case.

4. *On the other hand, learned State counsel submits that in fact, there were total three inverters, and only one inverter has been recovered from the possession of the co-accused Mahender. Therefore, for the recovery of other two inverters, custodial interrogation of the petitioner is necessary.*

5. *List again on 14.05.2026.*

6. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so*



by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 21.04.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Rajan, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 21.04.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.



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However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Accordingly, petition stands disposed of.

However, present order would be subject to the submission of passport of the petitioner to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

(SANJAY VASHISTH)
JUDGE

14.05.2026

Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO