



CRM-M-58791-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-58791-2025
Decided on: 14.01.2026

Arun Kumar
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.
Mr. Amish Sharma, AAG Haryana

SANJAY VASHISTH, J. (ORAL)

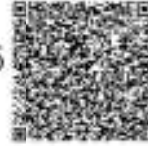
1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.325 dated 01.10.2025, under Sections 115(2), 190, 191(3), 109 of BNS at PS Bilaspur, Yamuna Nagar.

2. On 16.10.2025, following order was passed:

“(i) 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 of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Arun Kumar	325	01.10.2025	115(2), 190, 191(3), 109 of BNS	Bilaspur	Yamuna Nagar

(ii) As per allegations, incident took place on 27.09.2025. The FIR mentions the names of three accused/ individuals namely, Mahesh, Dimple, and Suraj, who



were allegedly accompanied by 5-6 other persons. Collectively, all of them attacked the complainant by climbing onto the roof and throwing bricks, which struck complainant/injured-Nagender Kumar, on the head, stomach, and hand.

(iii) Learned counsel for the petitioner argues that the petitioner's name does not appear in the FIR and, therefore, his identity is yet to be established. Counsel further submits that complainant was discharged from the hospital on the same day after receiving first aid. It was only the following day i.e. 28.09.2025, when the complainant's daughter took him to another private hospital. A CT scan conducted on 29.09.2025 revealed a fracture in the complainant's head.

(iv) Learned counsel also contends that no such injury was recorded initially when the complainant-Nagender Kumar, was admitted to the hospital and subsequently discharged. It is also an admitted fact in the FIR that none of the accused were armed with any weapons. Counsel further argues that petitioner has not been attributed with any specific injury, nor has anything been recovered from his possession. Moreover, petitioner is willing and ready to, join the investigation, provided he is granted protection from arrest.

(v) Notice of motion.

(vi) On advance notice, Mr. Kanwar Sanjiv Kumar, Asst. Advocate General, Haryana, appears on behalf of the respondent – State. Learned State counsel points out that petitioner is seen in the CCTV footage accompanying the main named accused. In regard to, point out the specific role if any, learned State counsel prays for some time.

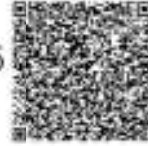
(vii) List on 14.01.2026.

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

(ix) 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. Learned State counsel on instructions from ASI Naresh, contends that in compliance to the order dated 16.10.2025 passed by this Court, the petitioner



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has joined the investigation on 16.12.2025, and as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

4. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 16.10.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

5. The 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.

6. However, present order would be subject to the submission of his passport 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.

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

(SANJAY VASHISTH)
JUDGE

14.01.2026

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Whether Speaking/Reasoned:

Whether Reportable:

YES/NO

YES/NO