

CRM-M-65163-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213

CRM-M-65163-2025
Decided on: 05.02.2026

Aneesh @ Mohd. Anees and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gopal Sharma, Advocate for the petitioners.
Mr. Pawan Kumar Jhanda, Sr. DAG Haryana
Mr. Azad Khan, Advocate for the complainant

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 petitioners, who has been booked in a criminal case arising out of FIR No.237 dated 23.10.2025, under Sections 191(3), 190, 115, 140(3) and 351(2) of BNS, at PS City Nuh, District Nuh.

2. On 19.11.2025, 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 petitioners, who have 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
i) Aneesh @ Mohd. Anees ii) Wakeel iii) Ramzan iv) Mustkeem	237	23.10.2025	191(3), 190, 115, 140(3) and 351(2) of BNS	City Nuh	Nuh

(ii) As per allegations against the petitioners, injured-Mohammad, was married to Vakeela, who is the sister of Petitioners No. 1 and 2, on 09.08.2020. A dispute arose between the members of both families, and on account of injuries



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caused to Vakeela by the complainant party in the instant case, NCR No. 148 dated 20.09.2025 under Section 115(2) of BNS of 2023 was registered at Police Station Gurgaon Sadar, District Gurugram. It is submitted that present FIR has been registered as a retaliation against the petitioner's party, who were victims in the earlier incident that occurred on 14.09.2025.

iii) Learned counsel for the petitioners further submits that all family members have been implicated in the present case, whereas injured Mohammad, has not suffered any serious injuries. None of the injuries have been declared grievous or serious so far; all the injuries are of simple nature.

iv) Additionally, it is argued that, being it a dispute between two families, custodial interrogation of petitioners may not serve any meaningful purpose and may further deteriorate the situation, thereby hindering the possibility of reconciliation in the future. Petitioners are ready and willing to cooperate with the investigation

v) Notice of motion.

On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana puts in appearance on behalf of the respondent – State. He seeks some time to file reply.

vi) Adjourned to 05.02.2026.

vii) In the meanwhile, petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, petitioners shall be released on interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

viii) Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

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

3. Learned counsel for the petitioners reiterates his submissions and submits that in pursuance to the directions issued by this Court vide order dated 19.11.2025, the petitioners have joined investigation and fully cooperated.

4. Learned State counsel on instructions from ASI Gajender Singh alongwith learned counsel for the complainant object the confirmation of the interim bail and submit that petitioners are now involved in the graver offence i.e.

under Section 117(2) and 140(4) of BNS. However, on being asked by the Court,



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it is specifically submitted that the said provisions have been added after joining of investigation by the petitioners in pursuance to order dated 19.11.2025.

On being asked, learned State counsel could not point out any specific reason for necessitating the custodial interrogation of the petitioners, in pursuance to the adding of the offences under Sections 117(2) and 140(4) of BNS.

5. Heard learned counsel for the parties.

6. Since, petitioners have already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 19.11.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed. It is clarified that the instant order would be considered qua the newly added other offences also i.e. Sections 117(2) and 140(4) of BNS. The petitioners would not be subjected to any interrogation, merely on the technicality of adding of the offences and the same being not mentioned in the petition.

7. The petitioners 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.

8. However, present order would be subject to the submission of their passport to the Investigating Agency or to Court concerned, if they possesses, within a period of one week from today. Otherwise, they would submit affidavits, disclosing the fact that they do not possess any passport.

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

05.02.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

**YES/NO
~~YES~~/NO**