

2026:PHHC:043057



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.73292 of 2025

Sachin ... Petitioner
Versus
State of Haryana ... Respondent

1.	The date when the judgment is reserved	12.03.2026
2.	The date when the judgment is pronounced	19.03.2026
3.	The date when the judgment is uploaded on the website	19.03.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Zorawar Singh Chauhan, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
312	05.11.2025	Bawal, District Rewari	110, 111(3), 115(2), 117(2), 190, 191(3), 308(4), 351(3) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Suraj Pal alleging therein that he along with his friend Rajesh had been supplying water through tankers in Urja Company at Village Chirhara from the last five years. About one month back, accused Sajjan Pehalwan @ Handa who was also engaged in the same business, proclaimed that he would be supplying water in Urja Company and started causing obstructions in his business. He gave quotation in the name of his firm in the aforementioned company and w.e.f. 02/03.11.2025 started supplying water in Urja Company. The complainant then offered to supply water at lesser rates in the company and on coming to know about this fact, accused Sajjan felt offended and started pressurizing the complainant to give money to him in lieu of supplying water with the company. He made several calls to him on 03.11.2025 which were not attended by the complainant. On the same day at about 9:30 PM, when the complainant was closing his shop, accused Sajjan, Bhagat @ Bhagti, Shakti, Teenu and Debu accompanied by 4-5 persons unknown to the complainant reached there. They were armed with weapons and opened an assault upon the complainant thereby causing injuries to him. The complainant was rushed to the hospital.

3. After registration of FIR, investigation proceedings were initiated. Accused Devender @ Debu was arrested on 06.11.2025. He suffered disclosure statement on the basis of which the present petitioner and some other persons were nominated as accused. The footages of the CCTV

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camera installed in the vicinity of the site of occurrence were collected. Some other accused were also arrested subsequently. The call detail records of the cell phone numbers of the petitioner and co-accused were also collected which showed that they had conversation with each other on 03.11.2025 and their locations were in the area of place of hatching conspiracy. In one of the CCTV footages, the petitioner was seen leaving on a scooter while carrying an iron pipe and was seen going towards Gol Circle of Chirahada village. Investigation qua the co-accused stands completed and challan has been presented whereas investigation qua the petitioner and co-accused Jitender @ Jite is still underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Rewari vide order dated 19.12.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of co-accused Devender @ Debu. He was not named in the FIR by the complainant despite the fact that he was well known to him. He was not present at the spot. He had no enmity with the victim. The prosecution is relying upon CCTV footages of different places in one of which he is seen sitting behind the accused Bhagat on a scooter while holding an iron rod. However, this CCTV footage is a weak piece of evidence and cannot be considered to be sufficient to connect him with the subject crime. No specific overt act or injury has been attributed to him. He is ready to join

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investigation. No recovery is to be effected from him. His custodial interrogation is not required. It is, therefore, argued that he deserves to be extended benefit of pre arrest bail.

5. Per contra, learned Assistant Advocate General, Haryana has vehemently argued that the allegations against the petitioner are serious in nature. He was seen along with the co-accused in the footage of the CCTV camera installed in the vicinity of occurrence. He has also been seen in the screenshots taken from CCTV, copies of which have been placed on record as Annexures R-8 and R-9. For the purpose of conducting thorough and proper investigation in the matter, his custodial interrogation is must. There is no exceptional ground to extend benefit of anticipatory bail to him. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner by forming membership of an unlawful assembly with the co-accused and in prosecution of common object thereof, is alleged to have opened an assault upon the complainant on the fateful day thereby causing serious injuries on his person. A pendrive stated to be containing CCTV footages has been placed on record and when played on the official computer of this Court, the file was found to be corrupted and as such, no video could be seen from the same. However, along with the status report, some screenshots of these footages have been placed on record which show the presence of the present petitioner. As observed by the Court of learned

Additional Sessions Judge, the petitioner was seen as a pillion rider on the

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scooty driven by the co-accused Bhagat on the day of occurrence in the same vicinity. The call detail records of the cell phone of the petitioner also show his presence at the same vicinity. Taking into consideration the nature of the allegations as levelled against the petitioner, this Court is of the considered opinion that his custodial interrogation is required for the purpose of fair and thorough investigation in the matter. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. It is also well settled proposition of law that powers for grant of pre arrest bail are to be exercised in exceptional and extraordinary circumstances and no such circumstance has been made out in this case. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

19.03.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No