



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

105

CRM-M-32505-2026 (O&M)
Date of decision : 02.06.2026

Satyawar @Satywan & Anr.

..... Petitioners

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Zorawar S. Chauhan, Advocate for the petitioners.
(joined through video conferencing)

Mr. Sunny Namdev, AAG, Haryana.

SURYA PARTAP SINGH, J. (oral)

This petition for pre-arrest bail is the first petition filed by the petitioners under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.221 dated 18.07.2024, for the commission of offence punishable under Sections 110, 115, 118(1), 190, 191(3), 351(2) of Bharatiya Nyaya Sanhita, 2023, hereinafter being referred to as 'BNS', Police Station Sadar Sonipat, District Sonipat.

2. The abovementioned FIR came into being at the instance of 'Manoj', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that on 18.07.2024, at about 07:30 am, when he was going to his fields on a bullock cart, a group of individuals armed with iron rods, *farsas* (axes) and *kassis* (spades) fitted with wooden sticks, emerged from sugarcane fields and launched an assault upon him. According



to complainant, when he raised alarm, a witness, namely 'Aman', came out of the field and starting recording a video. As per complainant, the abovementioned assailants threatened him to kill, while brandishing their weapons and fled from the spot on motorcycle.

3. It is the case of the prosecution that pursuant to abovementioned statement, formal FIR of this case was lodged and the investigation taken up. According to prosecution, during the course of investigation, it was discovered that 'Satyawar' and his son 'Sunil' (both petitioners herein) were not involved in inflicting injuries on the person of complainant and consequently, their names were placed in Column No.12 of the final report.

4. **Notice of motion.**

5. Mr. Sunny Namdev, AAG, Haryana appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with.

6. Heard.

7. It has been contended by learned counsel for the petitioners that during the course of investigation, it was found that the petitioners were not responsible for inflicting any injury on the person of complainant-Manoj and therefore, both of them were not prosecuted by the Investigating Agency and they were placed in column No.12 of the final report. According to learned counsel for the petitioners, however, during the course of trial an application under Section 319 of CrPC was filed, and the learned trial Court summoned



the petitioners as additional accused, by exercising the jurisdiction vested in it by virtue of Section 319 of CrPC.

8. In addition to above, it has also been contended by learned counsel for the petitioners that nothing has to be recovered from the possession of petitioners, and that their detention in judicial lockup is not likely to serve any purpose. According to learned counsel for the petitioners, in view of above, the petitioners are entitled to the benefit of pre-arrest bail.

9. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel, the allegations in the present case are for the commission of offence punishable under Section 110 of BNS, which is a serious offence, and that in view of gravity of offence, the petitioners are not entitled to the benefit of pre-arrest bail.

10. The record has been perused carefully.

11. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the investigation in this case is already complete and the petitioners were found to be innocent by the Investigating Agency;
- ii. that the trial has already commenced, and therefore, custodial interrogation of the petitioners has not been sought by the Investigating Agency;
- iii. that nothing has to be recovered from the possession of petitioners;
- iv. that the trial is not likely to be concluded in near future;



- v. that the detention of petitioners in judicial lock-up is not likely to serve any purpose;
- vi. that there is nothing on record to show that while on anticipatory bail, the petitioners are likely to tamper with the evidence or influence the witnesses; and
- vii. that there is nothing on record to show that while on anticipatory bail, the petitioners will not participate/cooperate in the investigation.

12. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioners are entitled to the benefit of pre-arrest bail, and that the present petition deserves to be allowed.

13. In view of the above-mentioned discussions, the present petition is hereby ***allowed*** and the petitioners are accorded the benefit of pre-arrest bail. It is hereby directed that the petitioners will surrender before the learned trial Court within a period of one month from today, and on their surrender, they will admitted to bail on furnishing bail bonds to the satisfaction of the learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority;
- (ii) that the petitioners shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial;



(iii) that the petitioners shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023; and

(iv) that the petitioners shall not leave India without prior permission of the learned trial Court.

14. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

02.06.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No