



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

(106)

CRM-M-37220-2026 (O&M)
Date of Decision: **10.07.2026**

JATIN

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. Mayur Kakra, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Ms. Shivami Sharma, Advocate
for the complainant.

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VIRINDER AGGARWAL, J. (Oral)

1. The present is the first petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the BNSS, 2023) [corresponding to Section 438 of the Code of Criminal Procedure, 1973] seeking the concession of anticipatory bail to the petitioner in case bearing FIR No. 62 dated 23.05.2026 (Annexure P-1), registered under Sections 115(2), 117(2), 126(2), 190, 191(2), 191(3), 109(1) and 351(2) of the *Bharatiya Nyaya Sanhita, 2023* (corresponding to Sections 323, 325, 341, 149, 147, 148, 307 and 506 IPC) at Police Station Garhi, District Jind.



2. Briefly stated, the prosecution case is that on 20.05.2026, information was received at Police Post Dhamtan from the Government Hospital, Tohana, regarding injuries sustained by Sandeep son of Shamsher and Satnam son of Rampal in an alleged quarrel. As the Investigating Officer was engaged in official duties, their statements could not be recorded immediately. Thereafter, upon obtaining the requisite permission and completing the preliminary formalities, the statement of injured Sandeep was recorded at Maharaja Agrasen Medical College, Agroha, on the basis whereof the present FIR came to be registered. The complainant alleged that on the intervening night of 19.05.2026, he had an altercation with co-accused Gurmeet near the house of Manoj, during which Gurmeet allegedly extended threats over the telephone. It was further alleged that on the following morning, i.e. 20.05.2026, while the complainant and his friend Satnam were proceeding towards their canteen on a scooter, a car intentionally rammed into their scooter, causing both of them to fall into a roadside ditch. It is alleged that Ankit, Amardeep, Amit and Sunil, along with the driver of the said vehicle, alighted from the car and assaulted the complainant and Satnam with iron rods, a *gandasa* and wooden spade handles. The petitioner, Jatin, was thereafter nominated on the allegation that he, along with co-accused Gurmeet, subsequently arrived at the spot on a motorcycle carrying wooden handles (*binde*) and other weapons and joined the remaining accused in surrounding and assaulting the complainant and his companion.



3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated on account of prior enmity, which had already been amicably resolved before the village Panchayat. It is submitted that the petitioner was not an occupant of the vehicle from which the initial assault was allegedly launched and, as per the prosecution case itself, is stated to have reached the spot subsequently on a motorcycle. It is further argued that no specific injury, weapon, or overt act has been attributed to the petitioner either in the FIR, the Medico-Legal Report, or the subsequent statements, which contain only vague and omnibus allegations coupled with material improvements. Learned counsel further submits that all the alleged weapons of offence have already been recovered from the principal co-accused and, therefore, the custodial interrogation of the petitioner is wholly unwarranted. It is also pointed out that co-accused Sunil, against whom more serious allegations have been levelled as an occupant of the offending vehicle, has already been granted interim anticipatory bail by this Court. Accordingly, invoking the principle of parity, coupled with the petitioner's clean antecedents and deep roots in society, it is prayed that the concession of anticipatory bail be extended to him.

4. Notice of motion.

5. At this stage, Mr. Tanuj Sharma, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State, while Ms. Shivami Sharma, Advocate, enters appearance on behalf of the complainant and has filed her Power of Attorney, which is duly taken on



record. Both learned counsel have vehemently opposed the present petition, defending the validity of the impugned order passed by the learned Court below. They contend that given the gravity and egregious nature of the allegations, the applicant-petitioner does not deserve the extraordinary concession of pre-arrest bail, especially since his custodial interrogation is imperative to unearth the entire facets of the crime. Accordingly, it is respectfully prayed that the present petition be dismissed out of hand.

6. I have heard learned counsel for the parties at considerable length and have carefully perused the paper book and the material placed on record with their able assistance.

7. Having considered the rival submissions and the material available on record, this Court finds no ground to extend the extraordinary concession of anticipatory bail to the petitioner. The allegations levelled against the petitioner are grave and disclose a *prima facie* case of premeditated and brutal assault. The prosecution case reveals that, following a prior altercation, the offending vehicle was deliberately driven into the victims' motorcycle. A perusal of the CCTV footage, at this stage, *prima facie* indicates that the victims were intentionally hit from behind, causing them to fall on the roadside. Thereafter, the occupants of the vehicle allegedly alighted, chased the victims into the adjoining fields, and assaulted them. It is further alleged that the petitioner, along with another co-accused, subsequently arrived on a motorcycle, pursued the victims, and actively participated in inflicting serious injuries upon them.



7.1. In the facts and circumstances of the present case, the custodial interrogation of the petitioner is considered necessary to unearth the complete conspiracy, ascertain the respective roles of the accused persons, and effect the recovery of the offending vehicle, which constitutes a vital piece of material evidence. Grant of anticipatory bail at this stage is likely to impede the ongoing investigation. Accordingly, without expressing any opinion on the merits of the case, this Court is of the considered view that the petitioner has failed to make out a case for grant of anticipatory bail. Consequently, the present petition, being devoid of merit, is hereby **dismissed**.

8. In view of the fact that the principal matter stands finally adjudicated, all pending miscellaneous applications, if any, arising out of or ancillary to the present proceedings, shall also stand disposed of accordingly. No separate or further orders are required to be passed in respect thereof.

10.07.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No