



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

109

CRM-M-35782-2025

Date of decision: 10.07.2025

SANJAY

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Rajesh Goyal, Advocate  
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

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**SANDEEP MOUDGIL, J.(ORAL)****1. Prayer**

This petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.102 dated 26.04.2025 under Sections 115, 126, 190, 191(3), 303, 351(3), 62 BNS (Sections 191(2), 190, 115(2), 299, 351(3),126(2), 305, 31, 6(3)(4), 62 of BNS has been added and Sections 191(3), 303(2), 298 of BNS has been deleted), registered at Police Station Sadar Panipat.

**2. Contentions****On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and he was named in the FIR only on the disclosure statement of the co-accused. He submits that on 26.04.2025, the depot owners, namely, Rajender, Ramandeep, Harsh Batra, Gaurav and others caught the driver of the oil tankers stealing fuel. When they confronted the drivers, they were attacked with dandas, swords



and stones with intention to kill them. Learned counsel further submits that the main accused namely Deepak, Suraj Kumar and Pintu were arrested by the police and have already been granted bail by the Court of Judicial Magistrate First Class, Panipat as no recovery is remaining in the present case. However, the anticipatory bail of the petitioner was dismissed by the Court of Additional Sessions Judge, Panipat on 07.05.2025.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

**On behalf of the State**

Mr. Chetan Sharma, DAG, Haryana appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner has actively participated in the present case.

3. **Analysis**

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties it is found that nothing is to be recovered from the petitioner and State has failed to make out the case against the petitioner as to why his custodial interrogation is required and he has been named in the FIR only on the basis of disclosure statement of the co-accused. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.



4. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**10.07.2025**

*Nisha Yadav*

*Whether reasoned/speaking?*

*Yes/No*

*Whether reportable?*

*Yes/No*