



CRM-M-12266-2025

**216 IN THE PUNJAB AND HARYANA HIGH COURT  
AT CHANDIGARH**CRM-M-12266-2025  
Decided on:04.04.2025

Rohit .... Petitioner

versus

State of Haryana .... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**Present: Mr. Mohit, Advocate with Ms. Pavitra, Advocate  
for the petitioner.

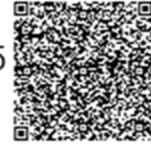
Mr. Sheenu Sura, DAG, Haryana.

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**Manisha Batra, J. (Oral)**

This is the first petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail to the petitioner in case arising out of FIR No.41 dated 26.01.2025 registered under Sections 221, 296, 3(5), 351(3) of BNS, 2023 at Police Station City Hisar District Hisar.

2. As per the allegations, on 23.01.2025, Municipal Corporation, Hisar was carrying out an operation near New Auto Market area, Hisar for capturing stray animals. They had captured three stray cows in front of Boosting Station, Hisar. At the same time, the petitioner accompanied by co-accused Sham Lal and Mandeep Gorsri reached there in an Activa Honda vehicle and while making indecent remarks and causing obstruction in performance of lawful duty by the officials of the Municipal Corporation, he showed some weapon to them and forcibly alighted one cow from the vehicle of the Municipal Corporation. Then while extending threats to kill the members of the team of the Municipal Corporation, he fled. The aforementioned FIR was registered on the basis of complaint lodged by the Additional Municipal Commissioner, Hisar. After



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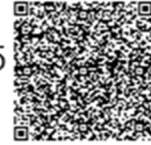
registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which was dismissed by the Court of learned Addl. Sessions Judge, Hisar vide order dated 18.02.2025.

3. It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. There is delay of three days in lodging the FIR. No injury had been sustained by any official of the Municipal Corporation. All the offences alleged against him except offence under Section 351(3) of BNS are bailable. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be affected from him. Accordingly, it is urged that the petitioner deserves to be given the benefit of anticipatory bail.

4. Status report by way of an affidavit of Deputy Superintendent of Police, Women Safety, Hisar filed on behalf of respondent-State is taken on record. It is argued by learned State counsel that keeping in view the serious nature of the allegations as levelled against the petitioner coupled with the fact that his custodial interrogation is required for conducting thorough investigation in the matter, he does not deserve to be given the benefit of anticipatory bail. Accordingly, it is urged that the petition is liable to be dismissed.

5. Rival contentions raised by both the sides have been given due consideration.

6. The petitioner along with the co-accused is alleged to have caused obstruction in performance of lawful duty of the complainant and other officials of the Municipal Corporation, Hisar. He is alleged to have threatened them and also forcibly took away a stray cow from the vehicle of the Municipal Corporation, Hisar. However, no recovery is to be affected from him. Given the



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nature of allegations, in the considered opinion of this Court, the pre-trial incarceration of the petitioner is not required.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be admitted to bail subject to his surrendering before the Investigating Officer/Arresting Officer within a period of 10 days from today and furnishing bail/surety bonds to the satisfaction of the Investigating Officer and further subject to his joining further investigation as and when required by the investigating agency and complying with the usual terms and conditions as envisaged under Section 482(2) BNSS.

8. It is, however, clarified that nothing stated hereinabove shall have any bearing on the merits of the case.

04.04.2025  
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**(MANISHA BATRA)**  
**JUDGE**

Whether speaking/non-speaking?  
Whether reportable?

Yes/No  
Yes/No