



CRM-M-16535-2025

1

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

204-1

CRM-M-16535-2025

SHYAMVIR ALIAS SHYAMVEER SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

CRM-M-22720-2025

MAHESH AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA

.....Respondent

Decided on: 26.05.2025**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Sunil Panwar, Advocate for the petitioners.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in the aforementioned petitions, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioners, who have been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
(1) Shyamvir @ Shyamveer Singh, and (2) Jaipal @	224	12.12.2024	191(2), 191(3), 190, 115(2), 351(2), 61(2) of BNS (Sections 117(2), 109(1) and 110 of BNS added	Jhojhu Kalan	Charkhi Dadri



Jaipal Singh, (3) Mahesh and (4) Pawan			later on)		
---	--	--	-----------	--	--

2. On 26.03.2025, following order was passed in CRM-M-16535-2025:-

“1. Present petition has been filed by the petitioners, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), for grant of pre-arrest bail, in case, FIR No.224 dated 12.12.2024 under Sections 191(2), 191(3), 190, 115(2), 351(2), 61(2) of Bharatiya Nyaya Sanhita, 2023 (BNS) (Sections 117(2), 109(1), 110 of BNS added later on), registered at Police Station Jhojhu Kalan, District Charkhi Dadri (Haryana).

2. Learned counsel for the petitioners, inter alia, contends that initially, the petitioners were granted police bail in the present case. However, on 19.02.2025, when the offence under Section 110 BNS was deleted and Sections 109(1) and 117(2) of BNS were added, the anticipatory bail petition filed by the petitioners was dismissed by the Court below.

3. Counsel for the petitioners further submits that the present case arises from the impugned FIR No. 224 dated 12.12.2024. However, there is a counter-version from the petitioners' side as well, as petitioner No. 1, namely, Shyamvir alias Shyamveer Singh, has suffered seven injuries, and petitioner No. 2, namely, Jaipal alias Jaipal Singh, has also sustained some injuries.

Counsel for the petitioners further submits that parties to the present petition are related to each other, and dispute is in regard to the possession of specific portion of the property in question.

It is also submitted that after the initial arrest of the petitioners, recoveries have already been made, therefore, custodial interrogation at this stage would not serve any purpose for the prosecution.

Thus, prays for grant of concession of anticipatory bail to the petitioners in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of the respondent – State, and seeks some time to file status report.

6. Adjourned to 19.05.2025.



7. *In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.*

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.”

3. On 29.04.2025, following order was passed in CRM-M-22720-2025:-

“1. Prayer in the present petition under Section 482 of BNSS, 2023, is for grant of pre-arrest bail to the petitioners-accused and direction to be released on bail in the event of arrest during the pendency of this petition, in case FRI No.224 dated 12.12.2024 under Sections 191(2), 191(3), 190, 115(2), 351(2), 61(2) of BNS, 2023 (Sections 117(2), 109(1), 110 of BNS added later on), registered at Police Station Jhojhu Kalan, District Charkhi Dadri (Haryana).

2. Counsel for the petitioners submits that in the anticipatory bail petition filed by co-accused Shyamveer i.e. CRM-M-16535-2025, vide order dated 26.03.2025, notice has been issued and interim bail has been granted, which is now fixed for 19.05.2025.

3. The only difference in the present petition is that at the first instance, petitioners were never granted police bail as they were never associated or called by the investigating officer, however, allegations qua Mahesh, Pritam, Pawan, Jasveer and Naveen’s brother in law are general, vague and omnibus. Thus, submits that there being no specific attribution, actual role is yet to be ascertained by the trial Court, after having evidence before it. Petitioners also undertake and submit that they are ready to join investigation, however, be protected from the arrest.



4. *Notice of motion.*
5. *On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, puts in appearance on behalf of respondent – State, and seeks some time to file status report.*
6. *Adjourned to 19.05.2025.*
7. *In the meanwhile, the petitioners are directed to join the investigation as and when required to do so by the Investigating Agency. In the event of their arrest, the petitioners shall be released on ad-interim bail, subject to their furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioners shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*
8. *Besides, it is directed that petitioners would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport. It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.*

To be taken up with CRM-M-16535-2025.”

4. Learned counsel for the petitioners submits that, in compliance of the orders dated 26.03.2025 (passed in CRM-M-16535-2025) and 29.04.2025 (passed in CRM-M-22720-2025) passed by this Court, the petitioners have duly joined the investigation and have extended full cooperation. In view of the petitioners' cooperation and the nature of evidence involved, it is prayed that the interim protection granted earlier be confirmed and the petitions for anticipatory bail be allowed.

5. On the other hand, learned State counsel has filed status report dated 16.05.2025 (in both the cases) and does not dispute the submissions made by the petitioners' counsel and confirms that, as of now, custodial interrogation of the petitioners is not required. However, it



is submitted that the petitioners be directed to rejoin the investigation as and when required by the Investigating Officer. It is further clarified that in the event of non-cooperation or failure to join the investigation when called upon, the petitioners shall not be entitled to claim the benefit of anticipatory bail.

6. Mr. Arun Kumar, Advocate, puts in appearance on behalf of the complainant, and files his power of attorney in Court today, which is taken on record.

7. Counsel for the complainant submits that the injured, namely Madan Singh has suffered total 15 injuries.

8. At this stage, counsel for the petitioners contends that Madan Singh has sustained only 4 injuries, which is evident from the Medico-Legal Report (MLR) appended with the status report filed by the learned State counsel.

9. After hearing learned counsel for the parties, and upon perusal of the allegations levelled in the FIR as well as the issues highlighted during the course of hearing, and taking into consideration the fact that the petitioners have joined the investigation and have extended full cooperation, and that custodial interrogation is not required as of now, this Court deems it appropriate to allow the present petitions. Accordingly, the prayer for anticipatory bail in both the petitions is accepted. The interim orders dated 26.03.2025 (passed in CRM-M-16535-2025) and 29.04.2025 (passed in CRM-M-22720-2025) are hereby made absolute. The petitions are, thus, allowed.

**CRM-M-16535-2025****6**

10. However, the petitioners shall continue to join the investigation as and when required by the Investigating Officer and shall abide by all the terms and conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023).

It is further clarified that in the event the petitioners fail to join or rejoin the investigation despite service of due notice by the Investigating Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail granted to the petitioners.

11. Besides, it is directed that petitioners (in both the cases) would hand over their passport to the Investigating Agency or to Court concerned, if they possess. Otherwise, would submit an affidavit, disclosing the fact that they do not possess any passport.

It is also directed that before leaving country any time during trial, petitioners would seek prior permission of the Court.

12. Accordingly, both the petitions stand disposed of.

13. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

May 26, 2025
Lavisha

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**