



3. It is further argued that petitioner is yet to be properly identified by the investigating agency, and it remains unclear whether the name "Pappu Bala" mentioned in the FIR actually refers to the petitioner, Harshdeep Singh @ Bawa, or to some other individual. In fact, petitioner is not known by the name "Pappu Bala" at all, and this appears to be a case of mistaken identity. Counsel further submits that had the complainant party been familiar with the petitioner, his actual name would have been mentioned in the initial statement or in a prompt supplementary statement, which has not been done in the present case. Moreover, petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Kanwar Sanjiv Kumar, AAG, Haryana, appears on behalf of the respondent—State.

6. Upon perusal of the case file, which is made available by the Investigating Officer, ASI Jagpal Singh, he submits that contention raised by counsel for the petitioner, that injury attributed to the petitioner is simple in nature, is correct. He further clarifies that there is no supplementary statement on record from any member of the victim or complainant party. However, as per the disclosure statement of one Sunil Balmiki, recorded on 14.08.2024, it came to light that "Pappu Bala" is the alias of the petitioner, Harshdeep Singh @ Bawa.

7. This Court has heard the submissions advanced by learned counsel for the parties and has also perused the record available on file.

8. It is pertinent to note that, despite the statements having been recorded over a year ago, the concerned Investigating Officer has not taken steps to arrest the petitioner, for reasons best known to him/her.

In view of the circumstances highlighted by counsel for the respective parties, this Court is of the considered opinion that the core issue at this stage revolves around the question of identity. Statement of the injured/complainant would be crucial in determining whether the

person referred to as “Pappu Bala” is, in fact, petitioner, Harshdeep Singh @ Bawa. Therefore, at this stage, no conclusive opinion can be formed regarding the petitioner’s involvement in the present case. The resolution of this issue will ultimately depend on whether “Pappu Bala” and the petitioner are one and the same individual.

9. Accordingly, this Court finds it appropriate to extend the concession of anticipatory bail to the petitioner in the present case. **Consequently, present petition is allowed**, and petitioner is directed to join the investigation within two weeks from today or as and when required by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

10. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

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

(SANJAY VASHISTH)  
JUDGE

26.09.2025

*Lavisha*

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*