



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

CRM-M-18261-2025

Date of decision: 04.04.2025

Surinder Kumar @ Tony

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gaurav Mohunta, Advocate and
Mr. Nishant Arora, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

KARAMJIT SINGH, J. (ORAL)

1. The present petition is filed by the petitioner seeking grant of anticipatory bail in a criminal case having FIR No.59 dated 28.02.2025, under Sections 115(2), 118(1), 118(2), 351(2), 3(5) of BNS 2023, registered at Police Station Mahesh Nagar, District Ambala.

2. The allegations in brief are that on 28.02.2025, injured Rinku who was admitted in the hospital, recorded his statement to the effect that at about 9:30 PM on 27.02.2025, Vishal and Shekhar were fighting near bus stand and he pacified them. However, after some time Shekhar again came back along with his father Surender Kumar @ Tony (present petitioner) accompanied by Jeevan. In the meantime, Shekhar and petitioner attacked the complainant with knives and petitioner caused injury on his arm. Shekhar also gave knife blow which hit above the right eye of Vishal. Jeevan gave fist and kick blows. All the three accused also extended threats



to the complainant and then left the spot.

3. The counsel appearing on behalf of the petitioner inter alia submits that the petitioner is falsely named in the FIR which was registered under Sections 115, 118(1), 3(5) and 351 (2) of BNS 2023. It is further submitted that subsequently, the complainant got manipulated the medical record and procured x-ray report on the basis of which injury caused on left arm/elbow of complainant was declared as grievous in nature and the concerned report was prepared after more than 10 days of the alleged occurrence. It is further submitted that the alleged grievous injury caused with sharp edged weapon is stated to be afflicted on non vital part of the body of the complainant and that the petitioner is ready and willing to join the investigation with the police.

4. The present petition is resisted by the State counsel who while referring to the medical record submits that there are specific allegations that petitioner caused injury on the forearm of complainant with the help of knife at the time of incident which happened on 27.02.2025 and on the same day, complainant Rinku was medico legally examined in civil hospital, Ambala Cantt and aforesaid injury caused with sharp weapon is fully detailed in MLR Annexure P-2. Thereafter, x-ray examination was conducted wherein fracture of proximal end of ulna was detected and thus, the said injury was declared grievous in nature by the concerned doctor vide his opinion dated 04.03.2025, while the concerned CT scan report is dated 02.03.2025. The counsel for the State further submits that petitioner is required by the police for the purpose of proper investigation.

5. I have considered the submissions made by counsel for the



parties.

6. It appears that complainant/injured was taken to the hospital immediately after the occurrence and he was also medico legally examined on the same very day and as per MLR Annexure P-2, all the injuries on the person of the complainant were found to be caused with sharp weapon. The injury on the left forearm of complainant which is detailed in MLR Annexure P-2 was found to be grievous in nature on the basis of x-ray and CT scan and is covered under Section 118 (2) BNS 2023. The recovery of the weapon used in commission of crime is still to be effected. The custodial interrogation of the petitioner is necessary for the purpose of proper and effective investigation. In the given circumstances, no ground is made out to give concession of anticipatory bail to the petitioner at this point of time.

7. Consequently, the present petition is hereby dismissed.

8. However, it is made clear that any observation made herein above is not to be construed as an expression of opinion on the merits of the case.

04.04.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned:-

Whether reportable:-

Yes/No

Yes/No