



CRM-M-21406-2025

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21406-2025
Date of Decision: 30.04.2025

Praveen @ Kalu ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Navmohit Singh, Advocate
for the petitioner.

Mr. Naveen K. Sheoran, D.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
151	25.05.2019	Kheri Pul, Faridabad	148, 149, 323, 325, 379-B, 452, 427, 506 IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. In paragraph 15 of the bail petition, the accused declares his criminal antecedents:

Sr. No.	FIR No.	Dated	Offenses	Police Station
1.	208/2017	-	25 of Arms Act	Kheripul, Faridabad
2.	411/2019	-	406, 420, 467, 468, 471, 120-B, 34 IPC	Dharuhera, Rewari
3.	412/2019	-	411, 420, 467, 468, 471, 34 IPC and 25 of Arms Act	Dharuhera, Rewari
4.	209/2019	-	307, 34 IPC and 25 of Arms Act	Tigaon, Faridabad
5.	276/2019	-	307, 341, 506, 34 IPC and 25 of Arms Act	Tigaon, Faridabad

3. The facts and allegations are being taken from translated version of FIR, which reads as follows:

“Statement by Pradeep Kumar S/O Shri Sukhiram caste Jat resident of House No. P-177 SGM Nagar NIT Faridabad age 35

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years M-701118311 stated that I am the resident of the above mentioned address and I have a car repair workshop in the name of Pradeep Motor at Shop No. 4, Sector 87, Master Road, Near SRS Royal Hills, Faridabad. I have around 10 workers working for me. The area of this shop is around 300 square yards and it is surrounded by four walls on all sides. It has only one gate. On 23.05.19 at around 03.10 PM, I and my worker were working inside and my 5 year old son Vinay was also with me in my office because I have made an office inside this workshop. Suddenly, inside my workshop, Arjun alias Pintu S/O Mahadev resident of Baselwa Colony, Faridabad, along with 5-6 boys were seen running towards me with sticks and rods in their hands while I was working on a vehicle. So Arjun alias Pintu told all the boys that this is Pradeep, and I started running with my son inside the office to save my life, then all of them entered my office and started hitting me with rods and sticks. Arjun alias Pintu hit me with rods on my hands, legs and head, due to which I fell down and all his friends also started hitting me with rods and sticks, and some of his friends broke the glass door of my office. Many vehicles were parked inside the workshop for repair, whose numbers were HR-51N-6266, UP-15CH-8085, HR-51BA8910, and HR-29Q-7043, all these vehicles were also damaged with sticks and rods, I have got severe injuries on both my hands, both my legs and head, and Arjun alias Pintu said that Pradeep has to be killed today, as there is a case going on in the court regarding our earlier fight with Arjun alias Pintu. This fight happened due to the same, after which my friend, who is my workplace partner, admitted me to BKH Faridabad, that doctor referred me to Safdarjung Delhi, but due to my condition worsening, my friend Ramsoodni S/O Shri Mojikhan admitted me to Kedar Hospital No. 3 NIT Faridabad, where I remained admitted till 24.05.19, after which I was admitted to Life Hospital, Sector 8, Faridabad at 10 pm, which is MLR No. 9/RG/CH/2019 dated 2305.19, which is issued from BKH Faridabad, this fight happened with me inside my office, within the four walls. The above MLR No. and the X-RAY report are being given to you, legal action should be taken against all of them. I have written the statement, I have heard it, I have read it, it's okay."

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family. Counsel for the petitioner submits that earlier petitioner was on bail and due to non-appearance, his bail was cancelled.

5. The State's counsel opposes bail.

REASONING:

6. The petitioner was earlier on bail; however, he failed to appear on 12.08.2021, lateron which led to the cancellation of the bail and he was declared proclaimed offender on 11.02.2022.



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7. As petitioner was earlier granted bail vide order dated 01.09.2020, and as such, this court is inclined to grant bail subject to some conditions.

8. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, petitioner was earlier on bail and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

CONDITIONS:

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall attend the Trial on every date and shall not seek single adjournment without cogent reason.

14. Given the background of allegations against the petitioner, it becomes paramount to protect the victim, members of society, and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearms. [This restriction is being imposed based on the preponderance of the evidence of probability and not of evidence of certainty, i.e., beyond a reasonable doubt; and as such, it is not to be construed as an intermediate sanction]. Given the nature of the allegations and the

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other circumstances peculiar to this case, the petitioner shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days of release from prison and inform the Investigator of the compliance. However, subject to the Indian Arms Act, 1959, the petitioner shall be entitled to renew and reclaim them in case of acquittal in this case, provided otherwise permissible under the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.04.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.