



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

CRM-M-3397-2025

Date of Decision:28.01.2025

Arun Saini

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Munish Puri, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in a case FIR No. 92, dated 25.11.2024, under Sections 109, 118(1), 115(2) and 3(5) of BNS, registered at Police Station Taragarh, District Pathankot (Annexure P-1).

2. Learned counsel for the petitioner contends that Rahul Saini, co-accused had love affair with Pallavi, relative of the complainant and both of them had performed marriage against the wishes of their family members. Even, Rahul Saini and Pallavi had filed a petition before this Court i.e CRWP-4863-2023 and vide order dated 19.05.2023, this Court had directed the police to examine the matter of their protection. Learned counsel further contends that on 04.10.2024, the complainant along with other family members of Pallavi had attacked the accused side and had caused serious injuries on that person. Again on 24.11.2024, the complainant side had attacked the accused

and in self defence, certain injuries were caused by the petitioner's side to Ashwani Kumar, complainant in the present case. He further contends that all the injuries suffered by the complainant in the present case have been declared to be simple in nature. Further, co-accused Rahul Saini@ Kallu has already been granted the concession of anticipatory bail. Even co-accused, Sukhpal Singh @ Sukha has been granted the concession of bail.

3. A reply by way of an affidavit of Deputy Superintendent of Police (Rural), District Pathankot has been filed on behalf of respondent-State and the same is taken on record.

4.. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. However, he submits that the injuries suffered by Ashwani Kumar, complainant/injured have been declared to be simple in nature.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, it is an admitted fact that both the parties were inimical towards each other and there were instances of attack by the complainant side. In the present case, all the injuries suffered by Ashwani Kumar, complainant have been declared to be simple in nature and the prosecution is yet to led evidence with regard to the involvement of the petitioner in the crime.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the

investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of B.N.S.S.

28.01.2025

hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No