



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

**CRM-M-19684-2025**

**Date of decision: 08.04.2025**

**Beeru**

**.....Petitioner**

**Versus**

**State of Haryana**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Ms. Himani Anand, Advocate for the petitioner.

Mr. Ashish Bishnoi, DAG, Haryana.

**SANDEEP MOUDGIL, J (ORAL)**

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.50 dated 22.02.2025 under Sections 115,126,324 (5), 333 and 351 (2) of BNS registered at P.S Bhuna, District Fatehabad.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

*“ Statement of Kavita w/o Beeru resident of Nehla aged 34 years Mob.No.73575-02894. Stated that I am resident of above address and I am a home-maker. It has been 14 years since my marriage. My husband is now living with girl named Bindu by marrying her in an illegal manner. And several times I have tried to make my husband understand through the Gram panchayat but he does not understand. I have instituted two cases against my husband in the court and my husband is threatening me to withdraw those cases. I have two children who are living with me at Village Nehla. On 17.02.2025 at about 4.00 PM he entered my house forcefully and*



*asked me to withdraw my cases and that he would not let me appear on 18.02.2025 in the Court and I will not leave you. Then my husband hit me on my head, left arm, chest, right elbow and behind my waist with a rod like weapon. When I raised hue and cry my husband Beeru ran away from there and while leaving threatened to kill me. Then I called my family members. On knowing about the injuries my father and grandfather came and took me to CHC Bhuna by arranging their own vehicle. Where due to serious injuries I was referred to MAMC Agroha where my treatment is going on. That earlier I was not fit but now I am absolutely fit on 22.02.2025. that later on I came to know that my brother Pawan had also come to my house who was also attacked by Beeru. Strict action be taken against my husband Beeru and I may be given justice. I have got my statement written in front of my brother Pawan, I have heard and understood it and it is correct. Sd Kavita, Pawan, Attested Sunita L/HC P.S. Bhuna Dt 22.02.2025. Police Proceedings: dated 17.02.2025 ruqqa was received in police station regarding victim Kavita wife of Beeru resident of Nehla District Fatehabad who was admitted at CHC Guhla due to injuries sustained during a scuffle. I.O was sent for investigation but because of the odd times Investigation on the ruqqa could not be carried out. On 18.02.2025 I reached MAMC Agroha and requested opinion on the condition of the victim from the doctor who stated that the victim was fit for statement, on reaching the bedhead of the victim, her statement was recorded that she is not completely fit and she would inform us qua her statement when she is completely fit. That today on 22.02.2025 we received information that victim is fit to give statement and that you can come and record my statement. On this information L/HC along with SPO Bhoop Singh no. 32, PS Bhuna reached MAMC Agroha where above-mentioned Kavita was found present who got her above statement recorded which was read over to her and made understood. After finding it correct she had appended her signatures. Also victim Pawan son of Satbir is present who has presented his MLR Mo. MLR/PS/2025/14 dated 17.02.2025 which was kept. Vide MLR no. MLR/PS/2025/13 dated 17.02.2025 of Kavita, doctor has opined 5 injuries. Out of which injury no. 1 and 3 were referred for Surgeon's opinion while injury nos. 2,4 and 5 were referred for ortho opinion. And in MLR no. MLR/PS/2025/14*



*of Pawan, doctor has opined 3 injuries out of which injury no. 1 was referred for surgeon's opinion while injuries 2 and 3 were referred for ortho opinion. From the perusal of the MLR offence under sections 115(2), 126(2), 333, 324(5), 351(2) BNS were found made out on which information was written and sent through SPO Bhoop Singh no. 32 for registration of FIR. After registration of FIR, FIR no, be intimated. I am busy in investigation at the spot. Today at MAMC Agroha Sd HC Sunita 78/FTB PS Bhuna dated 22.02.2025 at 5.10 PM. Today PS: on the written information received FIR no. 50 dated 22.02.2025 u/s 115(2), 126(2), 333, 324(5), 351(2) BNS PS Bhuna was registered and copy along with original written information was handed over to SPO Bhoop Singh no. 32 to hand over to the IO and SHO was informed about the case through telephone. Computer generated copies of the FIR were sent for the perusal of the Ld. Illaqa Magistrate and officers through post.”*

3. **Contention**  
**On behalf of the petitioner**

Learned counsel for the petitioner contends that the entire story put forth in the FIR is false and that the alleged FIR is arising out of matrimonial dispute. So far as allegation of house tress is concerned, it is contended that the property is a joint property where the mother of the petitioner also resides. Even on the day of alleged incident, the petitioner had gone to the said property where he was informed of the injuries sustained by her.

Notice of motion.

**On behalf of the State**

On the asking of the Court, Mr. Ashish Bishnoi, DAG, Haryana accepts notice on behalf of the respondent-State whereas Mr. Vikas Bishnoi, Advocate has put in appearance for the complainant and filed power of attorney. They opposed the prayer for grant of the concession of bail by submitting that custodial interrogation of the petitioner is required to ascertain the facts narrated in the FIR.



4. **Analysis**

Be that as it may, considering the fact that there is a matrimonial dispute between the parties and that there are only general allegations against the petitioner and also the fact that the petitioner is ready and willing to cooperate with the Investigating agency, custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

*‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*



However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

**( SANDEEP MOUDGIL )  
JUDGE**

08.04.2025

manoj

1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No