



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

CRM-M-10397-2025

Date of Decision: 17.03.2025

**SAHIL**

**...Petitioner**

**Vs.**

**STATE OF HARYANA**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Ashish Rana, Advocate for the petitioner.  
Mr. Naveen K. Sheoran, DAG, Haryana.

**ANOOP CHITKARA, J. (Oral)**

<b>Anticipatory bail under section 482 BNSS</b>			
FIR No.	Dated	Police Station	Sections
484	06.12.2024	Tehsil Camp, Panipat	115(2), 117(2), 118(2), 126(2). 190, 191(3) & 351(2) BNS, 2023.

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. As per paragraph 15 of the bail application and the reply, the accused has the following criminal antecedents:

FIR No.	Dated	Under Sections	Police Station	Status
349	20.02.2020	148, 149, 323, 427 & 506 IPC	Panipat City	On bail
150	21.09.2020	148, 149, 232, 447, 506 IPC	Ishrana	On bail
159	22.09.2020	201, 506 IPC	Sanauli	On bail



3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

*That on 06.12.2024, an information was received in the Police Station Tehsil Camp, Panipat that Sonu S/o Noor Hasan and Saurabh S/o Vikram are admitted in Aadhar Hospital, Panipat after suffering injuries in an assault. Receiving the information, police party including ASI Sukrampal, 1501, PPT and Ct Parveen Kumar, 1116 PPT went to Aadhar Hospital, met the Doctor and obtained medical ruqa, MLRs of the injured persons i.e. (i) MLR No.LK/176/PNP/2024 of injured Sonu in which the doctor has mentioned total of 1 injury with sharp weapon i.e. deep cut incused wound present over left hand between index and middle finger and (ii) MLR No. LK/177/PNP/2024 of injured Sourabh, the Doctor has mentioned total of 4 injuries with blunt weapons, in which injury No.1 (lacerated wound preset upper lip with bleeding and swelling, Adv. Surgeon Opinion), injury No. 2 (bleeding from the nose Adv ENT opinion, injury no. 3 (H/o Teeth Broken Adv ENT Opinion), Injury No. 4 (Lacerated wound present over left ear with bleeding Adv ENT Opinion). Medical Officer declared Sonu fit for making statement and injured Saurabh to be unfit for making statement. Thereafter, Injured Sonu presented a written complaint to ASI Sukrampal, 1501 with the allegations that in the evening of 05.12.2024, he and his friends Saurabh and Mukim had gone to Badli, Delhi in marriage of their known where Sahil son of Manga and his three-four friends quarreled with them. However, when three of them were coming to their house at Panipat on their motor-cycle and reached near Skylark, Panipat, Sahil obstructed their bike by his Scorpio vehicle bearing registration No.HR06AY-9353 and attacked upon them with dandas and other weapons. His friend Mukim fled away on his bike. However, Sahil and his accomplices inflicted injuries to him and his friend Saurabh and then they fled away in their car while threatening to kill them.*

*On the basis of said complaint, facts, and nature of crime, a formal FIR No. 484 dated 06.12.2024 under sections 115, 117(2), 118, 126, 190, 191(3), 351(2) of BNS was registered at P.S. Tehsil Camp, Panipat. True Copy of FIR is already annexed*



*by the petitioner as Annexure P-1 for the kind perusal of Hon'ble High Court. True Copy of MLR of Complainant Sonu and Injured Saurabh are annexed herewith as Annexure R-1 and Annexure R-2 respectively.*

*(ii) That after registration of FIR, the investigation of the case was carried out by ASI Sukrampal, 1501, PPT, Police Station Tehsil Camp, Panipat. During investigation, place of occurrence was inspected, rough site plan was prepared and statement of witnesses were recorded.*

*(iii) That during the course of investigation on 19.12.2024, treatment summary of complainant Sonu and injured Saurabh were obtained and taken into police possession*

*(iv) That on 24.12.2024, medical opinion regarding the injuries suffered by the complainant and injured Saurabh was obtained from Civil Hospital, Panipat and it was opined by the concerned doctor that the injuries suffered by injured Sourabh was grievous in nature and injuries suffered by complainant Sonu were simple in nature. True Copy of ibid medical opinion is annexed herewith as Annexure R-3.*

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 their family.

5 The State's counsel opposes bail and refers to the reply.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

*3. That the role of the petitioner is that he is the main accused in this case and he is specifically named in the FIR. The petitioner, along with co-accused, was member of an unlawful assembly and in prosecution of common object of that unlawful assembly, he wrongfully restrained complainant-injured Sonu and Saurabh and inflicted simple as well as grievous injuries to them with blunt as well as sharp edged weapons, besides threatening to kill them. Hence, no extra ordinary or sparing circumstance is in favour of the petitioner and the prima facie case is made out against the*



*petitioner.*

REASONING:

7. Given the rile and injury attributed to the peitioner, no cse for denial of bail is made out. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

8. Given the above, the penal provisions invoked coupled with the primafacie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order. 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.

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



accused.

10. 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)	

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

12. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

13. The petitioner shall abide by all statutory bond conditions and appear



before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

15. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

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

17. 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.

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

**(ANOOP CHITKARA)**  
**JUDGE**

**17.03.2025**

*kv*

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*