



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

108

CRA-S-2459-2025

Date of decision: 18th August, 2025

Prince @ Prince Choudhary

...Appellant

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ashish Aggarwal, Senior Advocate with
Mr. Vipul Aggarwal, Advocate for the appellant.

Mr. Apoorv Garg, Additional Advocate General, Haryana.

MANISHA BATRA, J (ORAL):-

The instant appeal has been filed under Section 101 of Juvenile Justice (Care and Protection of Children) Act 2015, (For short 'Act 2015'), challenging the order dated 17.07.2025 passed by the Court of learned Additional Sessions Judge Karnal in case arising out of FIR No. 124 dated 13.05.2025 registered under Sections 351(2), 3(5), 126 and 115 of BNS (Section 110 and 117(2) of BNS added subsequently) at Police Station Nigdhu, District Karnal, whereby an application for grant of pre-arrest bail as filed by the appellant, who is a child in conflict with law (for short, *CCL*), had been dismissed.

2. Brief facts relevant for the purpose of disposal of this appeal are that the aforementioned FIR was registered on the basis of a statement recorded by the victim-Madan Lal, alleging that in the morning of 09.05.2025, the appellant and his father Karambir had opened an attack upon



him and had caused injuries to him. Karambir was carrying a sharp-edged weapon at that time. He recorded that sometime before that he along with a co-villager Ram Niwas had gone to his agricultural land over which a dispute had taken place between the above-named Ram Niwas and accused Karambir. He also recorded that the accused Karambir had involved him in false cases previously. Initially, a case under Sections 115, 126, 351(2) read with Section 3(5) of BNS was registered. During investigation, offence under Section 117(2) of BNS was added. The appellant was extended benefit of bail. Subsequently, offence under Section 110 of BNS was added. Apprehending his arrest, after addition of this offence, the appellant moved an application for grant of pre-arrest bail, which has been dismissed vide order dated 17.07.2025..

3. It is argued by learned counsel for the appellant that the impugned order is not sustainable in the eyes of law, as while declining the prayer made by the appellant for grant of pre-arrest bail, the court of learned Additional Sessions Judge, ignored the fact that there was unexplained delay of five days in lodging the FIR. Moreso, this FIR is a counterblast to FIR No. 120 of 2025 lodged by his father, who is the village *Sarpanch*. The fact that the appellant was a juvenile at the time of the incident and as such was entitled to pre-arrest bail as a matter of right had also not been taken into consideration. Even otherwise, no specific injury was attributed to him. Complainant had got himself medically examined twice which showed that the injuries upon his person were self inflicted to put pressure upon his father and himself. These injuries have not been opined to be dangerous to life. He is ready to join the investigation. His custodial interrogation is not



required. No recovery is to be effected from him. The co-accused have been extended concession of interim pre-arrest bail. With these broad submissions, it is urged that the appeal deserves to be allowed and the impugned order is liable to be set aside.

4. *Per Contra*, learned State counsel assisted by learned counsel for the complainant has argued that there is no illegality or infirmity in the impugned order as the same is well reasoned. The allegations against the appellant are serious in nature. He along with the co-accused had caused serious injuries on the person of the victim whose four ribs on the left side were found to be fractured, along with posterolateral fracture on the anterior wall of sinus and fracture on the left zygomatic arch. The appellant and co-accused had extended merciless beatings to the victim. No exceptional or extraordinary circumstance for grant of pre-arrest bail is made out. Custodial interrogation of appellant is must for conducting thorough investigation in the matter. It is, therefore, urged that the appeal does not deserve to be allowed.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The appellant was admittedly below the age of 18 years at the time of commission of the subject offences. He has been extended benefit of bail previously before inclusion of offence under Section 110 of BNS. The custodial interrogation of the appellant is not required. Nor any recovery is to be effected from him. As such, this Court is of the considered opinion that no case for pre-trial incarceration of the appellant is made out. Accordingly, the appeal is allowed and the impugned order dated 17.07.2025, whereby



anticipatory bail was declined to the appellant is set aside and he is ordered to be admitted to bail subject to his appearing before the Investigating/Arresting Officer within a period of 20 days from today and joining investigation. The appellant has attained majority. He shall furnish personnel as well as surety bonds to the satisfaction of the Investigating/Arresting Officer and shall join proceedings before the Investigating/Arresting Officer as and when required till the conclusion of the investigation and till the time of presentation of challan report against him before the concerned court/Board.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main appeal has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

18th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*