

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6177-2025
Reserved on: 18.03.2025
Pronounced on: 25.03.2025

Sachin ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sandeep Tanwar, Advocate,
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Yogesh Vashista, Advocate,
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
356	10.12.2024	Rohtak Sadar, District Rohtak	115(2), 126(2), 351 (3), 3(5) of BNS (Sections 117(2), 110 of BNS added later on)

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. In paragraph 14 of the bail petition, the accused declares that he has no criminal antecedents.

3. The facts and allegations are taken from the translated copy of the FIR attached to the bail petition as Annexure P-1, which reads as follows:

“To the Chowki Incharge Titoli, it is prayed that I Himanshu son of Umeshpal am resident of village Samargopalpur, District Rohtak. That I had gone to attend Gurchari function for Atul’s wedding of our village where Sachin son of Krishan, resident of village Samargopalpur and Rajesh son of Lilu resident of village Samargopalpur had also come there. Both of them already planned to beat me. As soon as I left for home from there then they blocked my way and wrongfully restrained me and attacked me with an iron rod and threatened me with dire consequences of death and fled away from there. When we reached CHC Chidi for treatment, they referred me to Civil Hospital Rohtak. Thereafter, I went to

the police station and presented application along with application and ruqqa and prayed that legal action be taken against both of them.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The State’s counsel opposes bail and refers to the status report.

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

“8. That investigation in the present case is pending because the arrest of the petitioner was stayed vide order dated 03.02.2025 and thereafter, the petitioner was joined the investigation in the present case as per the order dated 03.02.2025 of the Hon’ble High Court. The petitioner has been attributed specific role by the petitioner.”

7. The counsel for the complainant also opposes bail.

REASONING:

8. The weapon used in the crime i.e. iron rod, has been recovered from the petitioner and he has also got demarcated the place of occurrence. As per status report, the doctor has mentioned nine injuries as ‘fracture’ on the complainant, as such, the petitioner is not entitled to bail.

9. A perusal of the bail petition and the documents attached prima facie points towards the petitioner’s involvement and does not make out a case for anticipatory bail. The impact of crime would also not justify anticipatory bail. Any further discussions will likely prejudice the petitioner; this court refrains from doing so.

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

11. **Petition dismissed.** Interim order dated 03.02.2025 is recalled with immediate effect. All pending applications, if any, are disposed of.

**(ANOOP CHITKARA)
JUDGE**

25.03.2025

Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.