

2025:PHHC:033983



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

**CRM-M-13403-2025
DECIDED ON: 11.03.2025**

CHAMANDEEP SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.52, dated 16.02.2023, under Sections 148, 149, 323, 379-B, 506 of IPC, 1860, registered at Police Station Sadar Ambala (Annexure P-1).

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

“Statement of Gurjinder Singh son of Sukhwinder Singh resident of House No. 65/151, Mulla Chownk Topkhana Parade, Police station Ambala Cantt., aged about 21 years mobile No. 93502-27464, stated that I am resident of aforesaid address and is matriculate. I am doing job of sales man at HP Petrol Pump sector 8 on the road from Manav Chowk to Jandli. On 15.02.2023 at about 11 PM, I alongwith salesman Sonu and Parveen Kumar

were present at Petrol Pump, then two boys on motorcycle bearing registration No. PB11 AY 2775 came there for having petrol. I asked those boys that for how much amount the fuel is to be filled, then the pillion rider asked me to talk with manners. I asked them that they should tell me that were how much amount fuel is to be filled, then those boys while arguing with me went away from their without having any petrol. After 15-20 minute again both boys came to petrol pump and gave me Rs. 100 for filling fuel. I filled fuel of Rs. 100/- in motorcycle. Then they told me to talk with manner and started arguing with me and abusing me. Then Parveen and Sonu came out from the petrol Pump and both said boys starting abusing all three of us. After some time about 11:30 PM one alto car came there, and 6 boys armed with handle of spade (Binda) and Rods came out from the car and started beating me, Parveen and Sonu. Out of them one boy gave blow on the back side of the my head and other boys gave several blows on both arms, mouth, both legs, waist and other parts of the body with binda and rods. Two boys gave bearing to Sonu with the chair lying on the petrol pump and one boy out of them snatched my mobile phone and one boys snatched silver chain from my neck. When we all three raised alarm then all the assailants fled away from the spot with their respective weapons in their car and own motorcycle. I had noted the registration No of car make alto, which was HR 26 AH 8562. All the assailants while leaving had extended threats to my co-salesman for their lives. I can identified all these boys, if comes across me. It is requested to you to take due legal action against all these boys. I have got recorded my statement, have heard and read it which is correct. Sd/- Gurjinder Singh.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of disclosure statement

of co-accused Bittu Ram. He further submits that no specific injury has been attributed to the present petitioner. He undertakes before this Court that the petitioner is ready and willing to join the investigation.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Baljinder Singh Virk, Sr. DAG Haryana, accepts notice on behalf of respondent/State. He does not controvert the submissions made by learned counsel for the petitioner rather candidly submits that no specific injury has been attributed to the petitioner.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that admittedly no specific injury whatsoever has been attributed to the present petitioner and petitioner is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. 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, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

11.03.2025

Meenu

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*