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

201

**CRM-M No.23551 of 2025
Date of decision: 02.06.2025**

Sahil ... Petitioner

Vs.

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sushil Jain, Advocate,
for the petitioner.

Mr. Apoorv Garg, Sr. DAG, Haryana,
for the respondent-State.

Mr. Balvinder Sangwan, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
97	08.04.2025	Sector-27, Sonipat, District Sonipat	110, 115, 126, 3(5) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") (117(2) of BNS added later on) (3(5) of BNS deleted later on)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of

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complaint lodged by the complainant Rahul posted as Meter Reader of NHCL company alleging therein that on 07.04.2025, he had gone to Khanna colony Sonipat for checking reading of electricity meters installed in the houses situated in street No.3 when the petitioner along with the co-accused reached there having armed with weapons. He was already having some grudges with the complainant and opened an assault upon him after intercepting him and while proclaiming that he would not be saved on that day. He struck blows with iron rod thereby causing injuries on his body. The co-accused also caused injuries with sticks on him. Thereafter they left while extending threats to him. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Sonipat vide order dated 28.04.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on account of previous enmity. Infact on the fateful day, it was the complainant who had hurled abuses to the petitioner and a scuffle had taken place. In the said scuffle, the petitioner had also sustained injuries and had caused injuries to the complainant on a non vital part in his self defence. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. The provisions of Section 110 of BNS are not attracted since

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there is no medical evidence on record to show that any injury by which death could have been caused have been sustained by the complainant. With these broad submissions, it is urged that he deserves to be extended benefit of bail.

4. Status report has been filed. It is argued by learned Senior Deputy Advocate General, Haryana assisted by learned counsel for the complainant that there are serious and specific allegations against the petitioner. He is a habitual offender since as many as four more cases including a case for commission of offence of murder have been registered against the petitioner. The complainant had sustained two grievous injuries on vital parts of his body. That apart, several simple injuries were also sustained by him. The petitioner is main precipitator of the crime. He did not sustain any injury in the incident. No extraordinary or exceptional circumstance for grant of relief of pre arrest bail is made out in his favour. It is, therefore, argued that he does not deserve to be given concession of anticipatory bail.

5. This Court has considered the rival submissions.

6. The petitioner along with co-accused is alleged to have caused simple as well as grievous injuries to the complainant. Two grievous injuries had been sustained by the complainant on his hands and leg. The petitioner is a habitual offender as four more criminal cases have been registered against him. The case is still at its nascent stage. For

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conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. No extra ordinary or exceptional circumstance for grant of pre-arrest has been made out in favour of the petitioner. As such, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

(MANISHA BATRA)
JUDGE

02.06.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No