



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

101+214

CRM-M-16685-2025 (O&M)

Date of Decision:- 05.05.2025

ABHINAV SHUKLA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

Mr. Sanjeev Majra, Advocate for the complainant.

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**SANJIV BERRY, J. (ORAL)**

CRM-17771-2025

In view of the averments made in the application, the same is allowed. Section 109 BNS is ordered to be added in the headnote as well as prayer clause of the petition. Registry is directed to carry out the necessary amendments.

Disposed of.

CRM-M-16685-2025

By way of present petition filed under Section 482 BNSS, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

<b>FIR No.</b>	<b>Dated</b>	<b>Sections</b>	<b>Police Station</b>
523	16.11.2024	110, 191(2), 191(3), 351(3) BNS; 117(2), 238 and 109 BNS added later on	Palam Vihar, District Gurugram



2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner neither named in the FIR nor any injury has been attributed to him. He further contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR. He submits that the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

3. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, while referring to the reply submitted by State has opposed the petition on the ground that the petitioner is clearly seen in the CCTV footage attacking the complainant party with an iron stool. Hence, the custodial interrogation of the petitioner is required to recover the iron stool, as such, prays for dismissal of the bail petition.

4. After considering the rival contentions and perusing the record, it transpires that as per the case of prosecution on 10.11.2024, the complainant along with his friend Ajit went to a tea shop for having tea, however, after making payment, a verbal altercation started between the complainant and the tea vendor. The tea vendor called 7-8 persons, who were armed with *dandas*, who started giving beating to the complainant and his friend with *dandas*, stone and iron stool. Two of the assailants were addressing each other as Sahil and Yuvraj. The complainant received injury on his head due to which he fell unconscious. Thereafter, the complainant was shifted to the hospital.

5. The name of the petitioner surfaced in the disclosure statement



of co-accused Sahil, who was specifically named in the FIR. The injury sustained by the complainant was declared grievous in nature. The entire occurrence was captured in the CCTV footage and in the CCTV footage, the petitioner is clearly seen attacking the complainant party with an iron stool. Therefore, the custodial interrogation of the petitioner is required to recover the said iron stool.

6. In these circumstances, considering the serious nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**05.05.2025**

*S.Sharma(syr)*

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No