



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

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**CRM-M-15236-2025 (O&M)
Date of decision: 21.04.2025**

Mohit Kumar @ Sonu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ramnish Puri, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Mr. Vikas Sheel Verma, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.28 dated 15.02.2025 under Sections 115(2), 190, 191(2), 324(4), 333, 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 117(2) of BNS (added later on), registered at Police Station Buria, District Yamuna Nagar.

2. On 20.03.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that the petitioner also suffered injuries in the same occurrence, as discernible from his Medical Legal Report (Annexure P-4). The injury attributed to the petitioner is simple in nature. Further, there is a delay of



02 days in registration of FIR (supra). Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years and no notice under Section 35(3) of BNSS [erstwhile Section 41-A of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the petitioner.

Notice of motion.

Mr. Vikas Bhardwaj, AAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State and Mr. Vikas Sheel Verma, Advocate appears on behalf of the complainant and files Memorandum of Appearance in the Court today, which is taken on record. Registry is directed to tag the same at the appropriate place of the case file.

Learned counsel for the complainant vehemently opposes the prayer for grant of anticipatory bail to the petitioner on the ground that he is pressurizing the complainant to effect a compromise.

Adjourned to 21.04.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of*



Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel assisted by learned counsel for the complainant and on instructions from HC Amit Kumar, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 20.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

21.04.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No