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**211-2** **IN THE HIGH COURT OF PUNJAB AND HARYANA**  
**AT CHANDIGARH**

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**Decided on: 02.07.2025**

Raj Kumar ...Petitioner(s)

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Akshay Kumar, AAG, Punjab.

Mr. Aditya Pratap Singh, Advocate  
for respondent No.2.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0002	04.02.2025	Nangal Bhoor, District Pathankot	115(2), 118(1), 126(2), 3(5) of BNS and Section 118(2) of BNS added later on

1. Seeking cancellation of bail granted to the accused/respondent(s) No.2 in the FIR captioned above, the aggrieved person has come up before this Court under Section 483(3) of BNSS 2023.

2. Vide order dated 19.02.2025 (Annexure P-4), the trial court had granted bail to the accused/ respondent(s) No.2 on the grounds mentioned in the following paragraphs of the impugned order:

*“As per allegations in the FIR, the key of the car was returned, when the people of the village were intervened. The police found that the allegations of snatching other things being suspicious. There are however 14 injuries on the person of complainant but only one injury on the left forearm is caused by sharp edged weapon. In the given facts and circumstances, that even the key of the car was returned and regarding remaining articles, the version of the complainant was found suspicious by the police, as such a*

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*case of pre-arrest bail is made out. This Court deems it fit to grant the concession of pre-arrest bail to the applicants/accused.*

3. Petitioner's counsel seeks cancellation of bail on the grounds that despite considering serious nature of allegations it was not justifiable for the Court to grant them bail and no reasoning was given, as such order is cryptic, perverse and illegal.

4. Counsel for the respondent(s)-accused submits that the bail may not be cancelled and this Court may impose any stringent conditions in addition to the conditions imposed by the trial Court. He further submits that petitioner never violated any condition as imposed by the trial Court.

5. I have heard counsel for the parties. Although there is injury on occipital regions, but perusal of the FIR does not show any injury on any vital part. In the facts and circumstances peculiar to this case, no grounds exist to cancel the bail, however this court is of the view that some more conditions can be imposed upon the accused in addition to the condition imposed vide impugned order.

6. Given the nature of the allegations and the other circumstances peculiar to this case, respondent(s) No.2 shall not enter the victim's property, workplace, and residence until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (Cri.) 458; and *Aparna Bhat v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.

7. Till the completion of the trial, the convict/respondent(s) No.2 shall not contact, call, text, message, remark, stare, stalk, make any gestures or express any unusual or inappropriate, verbal or otherwise objectionable behavior towards the victim and victim's family, either physically or through phone call or any other social media, through any other mode, nor shall unnecessarily roam around the victim's home and workplace.

8. Given the background of allegations against the accused, it becomes paramount to protect the members of society and incapacitating the accused would be one of the primary options until the filing of the closure report or discharge, or acquittal. Consequently, it would be appropriate to restrict the possession of firearms. [This restriction is being imposed based on the preponderance of the evidence of probability and not of evidence of certainty, i.e., beyond a reasonable doubt; and as such, it is not to

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be construed as an intermediate sanction]. Given the nature of the allegations and the other circumstances peculiar to this case, the accused shall surrender all weapons, firearms, and ammunition, if any, along with the arms license to the concerned authority within fifteen days from today and inform the Investigator of the compliance. However, subject to the Indian Arms Act, 1959, the accused shall be entitled to renew and reclaim them in case of acquittal in this case, provided otherwise permissible under the concerned rules. Restricting firearms would instill confidence in the victim(s), their families, and society; it would also restrain the accused from influencing the witnesses and repeating the offense.

**8. Petition is disposed of with the terms mentioned above.** All pending applications, if any, stand disposed of.

**(ANOOP CHITKARA)  
JUDGE**

02.07.2025  
anju rani

Whether speaking/reasoned: Yes  
Whether reportable: No.