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

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Date of Decision:- 22.10.2024

**Yash Malik**

...Petitioner

Vs.

**State of Haryana**

...Respondent

**CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Kunal Dawar, Advocate  
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Dr. Pankaj Nanhera, Advocate with  
Mr. Pradeep Duhan, Advocate for the complainant.

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**AMARJOT BHATTI, J.**

1. Petitioner Yash Malik has filed petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 258 dated 23.04.2024, under Sections 147, 307, 506, 120-B of Indian Penal Code, 1860 (Sections 324 and 325 of IPC were added later on), registered at Police Station Sector-8, Faridabad, District Faridabad, Haryana.

2. As per the facts, complainant Yashvir filed written complaint against Dev Malik, Vaibhav Malik, Yash Malik, Sonu Malik, Ramkishan Malik, Shivram Malik, Pappal Malik and Dara Malik alleging that on 22.04.2024 at about 11:30 PM, he along with his brother Nahar Singh came out of their house for parking their car. Dev Malik, Vaibhav Malik, Yash Malik and Sonu Malik were already sitting in two cars for the last 15-20 minutes with the intention to beat them and they were drinking in the car.



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As soon as they came out, Yash Malik who was sitting in red coloured Toyota car along with Dev Malik raised *lalkara* to drive the car in order to hit them. Immediately, Dev Malik drove Toyota car towards them at a very high speed and hit both of them with the intention to kill them. Due to the impact, he fell down. Vaibhav Malik and Sonu Malik who were sitting in Baleno car raised *lalkara* that they should be killed. After about 2 minutes a Wagnor car came in which Ramkishan Malik, Shivram Malik, Pappal Malik and Dara Malik were sitting and they were shouting that one person has been killed and they will not spare his family. The reason behind this occurrence was that accused persons had prepared forged and fabricated documents of Public Chaupal of their village. They also prepared property ID in their name regarding which his father had filed a complaint in the office of Municipal Corporation and to Grievance Committee. Because of this reason they were attacked. CCTV footage of said incident was also handed over in a pen drive. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that allegations levelled against petitioner are false. Present petitioner has not attributed any specific injury. There is delay in lodging the report to the police. As per the facts, he has attributed a *lalkara*. CCTV footage claimed by the complainant cannot be looked into. Even if said CCTV footage is seen, present petitioner is not visible. He is ready to join the investigation. Therefore, his anticipatory bail petition may be allowed.

3. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that 08 accused

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persons have been named in the case in hand. Manner of occurrence is clear from CCTV footage. It is conceded that in the said CCTV footage only one person is visible in the car. Toyota car and Baleno car used in the said crime are yet to be recovered. Medical record of Yashveer has been collected. He suffered fracture. Copy of Medico Legal Report and X-ray report are Annexure R-3 and R-4. Considering the specific allegation, present petitioner is not entitled to be released on anticipatory bail.

4. I have considered the arguments and have gone through the record. One of the accused Dara Malik was granted anticipatory bail vide order dated 24.05.2024 (Annexure P-4). It is rightly pointed out that role attributed to present petitioner is different. He was sitting along with Dev Malik, who was driving red coloured Toyota car which hit against the complainant. There is pen drive and still photographs of the said occurrence. As per medical record, complainant suffered fracture. Present petitioner is yet to join the investigation and the car used in the occurrence to be recovered.

5. Considering the manner in which the occurrence took place as detailed in the FIR and the specific role attributed to present petitioner, I do not find a fit case for grant of anticipatory bail and the same is accordingly declined.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

**22.10.2024***Sunil Devi***(AMARJOT BHATTI)**  
**JUDGE**Whether speaking/reasoned:  
Whether reportable:Yes/No  
Yes/No