



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CRM-M-41453-2024

Date of decision: 28.08.2024

Neeraj Bhadana and another

.....Petitioners

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Dr. Pankaj Nanhera, Advocate for the petitioners.

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**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioners are seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.363 dated 25.07.2024 under Sections 115, 118(1), 140(1), 3(5), 351(2), 54 of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Dabua, District Faridabad.

2. Learned counsel for the petitioners has submitted that in fact a twisted version has been brought forth in the FIR in question as it is a matter of record that prior to the occurrence in question a complaint (Annexure P-2) had been given by one of the co-accused Monu against the complainant party itself. Learned counsel has submitted that even otherwise a perusal of the allegations levelled in the FIR in question reveal that the grievous injuries with a knife have been attributed to co-accused Monu with whom the complainant had an axe to grind; the petitioners who are first cousins of co-accused have been dragged into the present case only on account of their close relationship with co-



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accused Monu. It has been further submitted by the learned counsel that assuming for the sake of arguments, though not admitted, that the petitioners were present along with co-accused Monu, the petitioners have not been attributed any specific injury on the person of injured Satinder and at best the injuries attributed to both of them would be simple in nature. Learned counsel while drawing the attention of this Court to the conversation, which purportedly took place between co-accused Monu and the police, annexed with the petition, has argued that therein also it stood reflected that there had been some quarrel between co-accused Monu and the complainant prior to the occurrence in question and it was the complainant who had initiated the previous quarrel.

3. I have heard learned counsel for the petitioners and perused the relevant material on record.

4. Before proceeding further, it would be relevant to reproduce the allegations levelled in the FIR, which are as under:-

*“I respectfully submit that I, Satya, son of Late Ram Narayan, belonging to the Gurjar caste, am a permanent resident of Village Pali, District Faridabad. We are two brothers, I, the elder one, and my younger brother Satendra alias Pinder, aged 40 years, who runs a ready-made clothing shop at Pali Adda. Yesterday, on 24-07-2024, my brother Satendra alias Pinder had a minor argument over the phone with Monu, son of Pappu, resident of Pali. Today, around 8:00/8:30 AM, my brother Satendra alias Pinder was standing in front of his under-construction shop on Pali Ballabgarh Road, when Monu, son of Pappu, along with **Dheeraj** and **Neeraj**, sons of Himmat, residents of Pali, came in their car (ECO Sport, number UP32JC0088). **Dheeraj** called my brother Satendra alias Pinder towards the car, and Monu and **Neeraj** forcefully dragged him into the car and took him to Randhir son of Havaladar's office near Sookhi Canal in Ballabgarh, where they held him captive. Inside the office,*



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*Monu, with a stick in his hand, and **Neeraj** and **Dheeraj** also with sticks, brutally gave beatings to my brother, inflicting serious injuries all over his body after throwing him to the ground. After some time, when they were still assaulting my brother, Sarjeet, son of Gyasiram, and Harinder Parshad, son of Sarjeet, arrived there. Harinder said, "Beat him more, and I'll record a video of it so that we can disgrace him in society and force him to speak properly with us over the phone." Another person, whose name my brother doesn't know but can identify, also hit him with punches, kicks, and slaps. Monu. **Neeraj**, **Dheeraj**, and others assaulted my brother again, and Harinder recorded the video. Sarjeet slapped my brother and said, "You have learned a lesson for speaking to Monu on the phone, and now I'm letting you go." Furthermore, they threatened to kill him, and suddenly Monu attacked my brother with a knife. He struck once at my brother's head, and when my brother tried to block it with his hand, his fingers were cut.) The second blow was aimed at his chest, near the heart, causing severe bleeding. My brother was badly injured and was trying to save his life and was on his way home when I happened to be returning after dropping my daughter at school. I found my brother on the way, bleeding profusely, and he told me everything that had happened. I immediately took my brother to Badshah Khan Hospital for treatment. However, the doctor, seeing his critical condition, referred him to a higher centre. As my brother's condition was worsening, and since the knife had pierced his chest near the heart, I admitted him to the nearest Madhav Hospital. The bleeding was uncontrollable. I am attaching the MLC M106001242404187 and related documents with this application. The aforementioned individuals planned to kill my brother with the intention of murdering him by kidnapping him from home. It was only by the grace of God that he escaped from them. I request you to file a case against these criminals and ensure they receive the strictest punishment. My brother and I fear for our lives and property because of these people. I seek justice. Sd/- Satya, Son of the late Ram Narayan, Resident of Pali, Mobile: 9555012222 Date: 25-07-2024"*

5. A perusal of the FIR which stands reproduced hereinabove, prima facie leaves no manner of doubt that both the petitioners who have been specifically named therein were active participants in the occurrence in question; petitioner Dheeraj Bhadana was allegedly



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driving the car in which co-accused Monu and petitioner Neeraj Bhadana were also travelling. It was petitioner Dheeraj who called injured Satinder @ Pinder towards his car and thereafter all the accused including the petitioners bundled him into their car and drove him to a particular location where he was not only held captive but was assaulted brutally with sticks as a result of which complainant Satinder received injuries all over his body. As per further allegations levelled, a videography of the alleged occurrence was also prepared by co-accused Harinder. No doubt, the injuries with a knife have not been attributed to both the petitioners, however, from the mode and manner in which the crime in question has allegedly been executed, the petitioners' active participation in the crime in question is prima facie discernible for which they do not deserve the extraordinary concession of anticipatory bail.

6. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

28.08.2024

(MANJARI NEHRU KAUL)  
JUDGE

Vinay

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |